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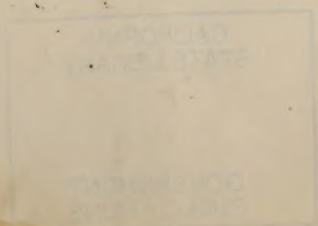


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THE
JOURNAL OF THE SENATE,
DURING
THE FOURTEENTH SESSION
OF THE
Legislature of the State of California:
1863.

BEGUN ON MONDAY, THE FIFTH DAY OF JANUARY, AND ENDED ON MONDAY,
THE TWENTY-SEVENTH DAY OF APRIL.



SACRAMENTO:
BENJ. P. AVERY, STATE PRINTER.
.....
1863.

THE

JOURNAL OF THE SENATE

OF THE

THE FOURTEENTH SESSION

OF THE

JOURNAL OF THE SENATE

OF THE

PROCEEDINGS OF THE SENATE

THE SENATE OF THE STATE OF CALIFORNIA

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JOURNAL
OF THE
PROCEEDINGS OF THE SENATE.

JOURNAL

PROCEEDINGS OF THE SENATE

CALIFORNIA LEGISLATURE---IN SENATE.

FOURTEENTH SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, January 5th, 1863. }

Pursuant to the requirements of the Constitution, the Senate met and was called to order by Hon. J. F. Chellis, President, who made the following address:

SENATORS:—It is with great pleasure that I again greet you with friendship. We have reason to rejoice that during the past year our State has been favored by Providence with bountiful harvests and healthful seasons, profitable to all the industrial pursuits of our fellow citizens.

We meet again for the discharge of our important and responsible duties under circumstances peculiarly favorable contrasted with those of our brethren on the eastern side of the continent.

Among the most prominent duties that will demand our careful and prompt attention, is the enactment of such laws as are required to give effect to the Amendments of the Constitution, which have received the sanction of two successive Legislatures, and been adopted by the people, pursuant to the fundamental law.

These amendments are designed to effect an important change in the several departments of the Government.

The tenure of office has generally been extended in all the departments, which is designed to give them more permanency, and to reform the expenses attendant upon annual elections and legislation.

One of the great evils to which all new States are subjected, is excess of legislation, and from this evil our State has suffered in no ordinary degree.

In the Judicial Department of the Government, jurisdiction has been

increased in some cases, and abridged in others, while the number of Judges upon the Supreme Bench has been increased.

It is believed that the changes thus effected in that important department of the Government will increase its efficiency, and enable it to render justice more promptly.

It will be our pleasure in discharging the general duties of legislation in conjunction with the other branch of the Legislature, to promote the interests of our State and constituency by the enactment of such laws as will tend to the full development of her great and varied resources, and promote a wise economy in all the public expenditures.

We have reason to be proud of our State, not only because of her extended and productive territory and her unbounded resources, but more particularly for the display of her patriotic devotion to liberty and the Union.

Vastly remote from the scenes of bloody conflict and suffering in the East, our fellow citizens have manifested their deep and patriotic sympathy by unparalleled contributions in aid of their brethren stricken down upon the sanguinary fields of battle.

California, too, has sent forth her sons in response to her country's call with that promptitude and alacrity becoming a great and patriotic State.

The products of our mines have gone forth by every steamer in unbounded measure, stimulating commerce, and imparting security and energy to the financial arm of the General Government.

In conclusion, permit me to congratulate you most sincerely upon the great event of the age.

The proclamation of liberty to enslaved millions is an era in the history of human events, and will be received by the liberty-loving people of every clime, tongue, and nation, with joy unspeakable. After a long and sanguinary conflict with armies never before equaled in numbers and valor, the people of America, the President of these United States, all agree and are of one opinion that without slavery the rebellion and civil war would never have existed, and without slavery it cannot continue. And they have resolved in their candor, and in their wrath, to erase that stain from our country's future history, and no earthly power can defeat the consummation of our purpose. Now that Liberty is our watchword, our armies will march to victory, and stand forth, in the brightness of meridian glory, the wonder, pride, and admiration of the world.

Prayer by the Rev. J. E. Benton.

The roll of Senators holding over was called by the Secretary, and the following gentlemen answered to their names, to wit:

Messrs. Baker, Bogart, Burnell, Chamberlain, Crane, Gaskill, Harri-man, Hathaway, Holden, Kutz, Lewis, Nixon, Oulton, Perkins, Porter of Santa Cruz, Powers, Quint, Van Dyke, and Vineyard—19.

Absent—Messrs. Doll, Pacheco, and Shurtleff.

The roll of Senators elect was called, and the following gentlemen answered to their names, to wit:

Messrs. Abell, Anderson, Birdseye, Booth, Cavis, Clark, Cunningham, Harvey, Higby, Higgins, McCullough, McNabb, Parks, Porter of Contra Costa, Saxton, Shannon, Wallis, and Whiting—18.

Mr. Crane offered the following resolution :

Resolved, That a committee of three be appointed to wait on the Hon. S. J. Field, Chief Justice of the Supreme Court, and invite him to attend and administer the oath of office to the Senators elected at the last election.

Adopted.

In accordance with the above resolution, Messrs. Crane, Harriman, and Van Dyke, were appointed said committee.

Hon. Chief Justice Field came forward and administered the oath of office to the members elect, who severally subscribed to the same.

Mr. Perkins moved that the Rules of the last session be adopted.

Carried.

Mr. Perkins offered the following resolution :

Resolved, That no smoking shall be allowed in the Senate Chamber.

Upon the adoption of the resolution, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Chamberlain, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Harriman, Hathaway, Higby, Higgins, Holden, Kutz, Lewis, Mc'ullough, McNabb, Nixon, Oulton, Perkins, Porter of Contra Costa, Powers, Quint, Saxton, Shannon, Van Dyke, Wallis, and Whiting—31.

NOES—Messrs. Bogart, Gaskill, Parks, Porter of Santa Cruz, and Vineyard—5.

At forty minutes past twelve o'clock, P. M., on motion of Mr. Burnell, the Senate adjourned until twelve o'clock, M., to-morrow.

J. F. CHELLIS,

President of the Senate.

Attest : THOMAS HILL, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Tuesday, January 6th, 1863. }

Senate met pursuant to adjournment

President pro tem. in the Chair.

Roll called. *

Absent—Mr. Nixon.

Quorum present.

Journal of yesterday read and approved.

Mr. Oulton offered the following resolution :

Resolved, That the Senate now proceed to the election of its permanent officers in the following order, to wit :

1. President pro tem.
2. Secretary.
3. Assistant Secretary.
4. Sergeant-at-Arms.
5. Assistant Sergeant-at-Arms.
6. Minute Clerk.
7. Journal Clerk.
8. Engrossing Clerk.
9. Enrolling Clerk.
10. Two Copying Clerks.

Adopted.

FOR PRESIDENT PRO TEM.

Mr. Perkins nominated Mr. A. M. Crane.

The roll was called with the following result :

Names.	Crane.
Abell.....	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Highy.....	1
Higgins.....	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCullough.....	1
McNabb.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1

Names.	Crane.
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	38

Mr. Crane, having received all the votes cast, was declared duly elected.

Mr. Crane then assumed the Chair, and made the following address :

SENATORS :—For the honor conferred and confidence implied in electing me to preside on such occasions as your constitutional presiding officer may be absent, I return you my sincere and heartfelt thanks, and I can only hope that I may to some extent be able to justify your choice by a fair and impartial administration to the best of my ability of those rules and parliamentary usages which may be adopted for the control and guidance of our action. In the strict and firm adherence to these rules, the wisdom of which has been so abundantly demonstrated by the experience of the past, consists our only safety, and may we not all now resolve that this body will not upon the slightest pretext, heretofore so common, suspend or abrogate them? Such favors are generally solicited, and, out of mistaken courtesy, granted to special or local legislation, and thus our statutes in the last two sessions have grown to an unseemly bulk, occasioned mainly by the great facility afforded by the continuous suspension of all parliamentary rules in its favor. This special legislation, if it must be endured, should at least be held under the same checks by which general Acts are passed, and by this means will not only much mischievous or useless legislation be suppressed, but the time and deliberation required will prevent the adoption of many objectionable laws. The amendments to the organic law, finally adopted by the people at the last election, will call for much important legislation to carry them into effect, and upon us, as a co-ordinate branch of the Legislature, will devolve the duty and labor of accomplishing the purposes of those amendments. It shall be my effort as one of the working members of this Senate, (by which designation I am more ambitious to be known than as the recipient of its honors,) to aid in the attainment of this result, so that by a clear, well digested system of laws, avoiding the perplexities of loose and indefinite expression, we may present plain and easily understood Acts for the guidance of the various departments of the Government and the protection of the citizens.

FOR SECRETARY.

Mr. Shannon nominated John White.

The roll was called with the following result :

Names.	White.
Abell.....	1
Anderson	1
Baker.....	1
Birdseye	1
Bogart.....	1
Booth.....	1
Burnell	1
Cavis.....	1
Chamberlain	1
Clark.....	1
Crane.....	1
Cunningham	1
Doll	1
Gaskill.....	1
Harriman	1
Harvey.....	1
Hathaway	1
Higby.....	1
Higgins	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCallough.....	1
McNabb.....	1
Nixon	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers	1
Quint	1
Saxton.....	1
Shannon	1
Shurtleff	1
Van Dyke.....	1
Vineyard	1
Wallis	1
Whiting.....	1
Total.....	40

Mr. White, having received all the votes cast, was declared duly elected.

FOR ASSISTANT SECRETARY.

Mr. Cavis nominated H. G. Stebbins.

The roll was called with the following result :

Names.	Stebbins.
Abell.....	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark.....	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Higby.....	1
Higgins.....	1
Kutz.....	1
Lewis.....	1
McCullough.....	1
McNabb.....	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	39

Mr. Stebbins, having received all the votes cast, was declared duly elected.

FOR SERGEANT-AT-ARMS.

Mr. Nixon nominated George I. Lytle.

The roll was called with the following result :

Names.	Lytle.
Abell.....	1
Anderson	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth	1
Burnell.....	1
Cavis	1
Chamberlain	1
Clark.....	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey	1
Hathaway	1
Higby.....	1
Higgins.....	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCullough	1
McNabb.....	1
Nixon	1
Oulton.....	1
Pacheco	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint	1
Saxton.....	1
Shannon	1
Shurtleff.....	1
Van Dyke	1
Vineyard.....	1
Wallis	1
Whiting	1
Total.....	40

Mr. Lytle, having received all the votes cast, was declared duly elected.

FOR ASSISTANT SERGEANT-AT-ARMS.

Mr. Cunningham nominated E. W. Councilman.
The roll was called with the following result :

Names.	Councilman.
Abell.....	1
Anderson	1
Baker	1
Birdseye	1
Bogart.....	1
Booth.....	1
Burnell	1
Cavis.....	1
Chamberlain	1
Clark.....	1
Crane.....	1
Cunningham	1
Doll	1
Gaskill.....	1
Harriman	1
Harvey.....	1
Hathaway	1
Higby	1
Higgins.....	1
Holden	1
Kutz	1
Lewis	1
McCullough.....	1
McNabb	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis	1
Whiting	1
Total.....	40

Mr. Councilman, having received all the votes cast, was declared duly elected.

FOR MINUTE CLERK.

Mr. McNabb nominated John S. Van Doren.
The roll was called with the following result:

Names.	Van Doren.
Abell.....	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark.....	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Higby.....	1
Higgins.....	1
Holden.....	1
Lewis.....	1
McCullough.....	1
McNabb.....	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	39

Mr. Van Doren, having received all the votes cast, was declared duly elected.

FOR JOURNAL CLERK.

Mr. Van Dyke nominated W. F. Heustis.

The roll was called with the following result:

Names.	Heustis.
Abell.....	1
Anderson	1
Baker	1
Birdseye.....	1
Bogart.....	1
Booth	1
Burnell.....	1
Cavis	1
Chamberlain.....	1
Clark	1
Crane.....	1
Cunningham.....	1
Doll	1
Gaskill.....	1
Harriman.....	1
Harvey	1
Hathaway	1
Higby.....	1
Higgins.....	1
Holden	1
Kutz	1
Lewis.....	1
McCullough.....	1
McNabb	1
Nixon.....	1
Oulton.....	1
Pacheco	1
Parks.....	1
Perkins	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	40

Mr. Heustis, having received all the votes cast, was declared duly elected.

FOR ENGROSSING CLERK.

Mr. Harvey nominated Robert E. Henderson.
The roll was called with the following result:

Names.	Henderson.
Abell.....	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark.....	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Higby.....	1
Higgins.....	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCullough.....	1
McNabb.....	1
Nxon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	40

Mr. Henderson, having received all the votes cast, was declared duly elected.

FOR ENROLLING CLERK.

Mr. Anderson nominated John B. Reed.

The roll was called with the following result :

Names.	Reed.
Abell	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark.....	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Higby.....	1
Higgins.....	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCallough.....	1
McNabb.....	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	40

Mr. Reed, having received all the votes cast, was declared duly elected.

FOR COPYING CLERKS.

Mr. Perkins nominated Holland Smith.

The roll was called with the following result :

Names.	Smith.
Abell	1
Anderson.....	1
Baker.....	1
Birdseye.....	1
Bogart.....	1
Booth.....	1
Burnell.....	1
Cavis.....	1
Chamberlain.....	1
Clark	1
Crane.....	1
Cunningham.....	1
Doll.....	1
Gaskill.....	1
Harriman.....	1
Harvey.....	1
Hathaway.....	1
Higby.....	1
Higgins.....	1
Holden.....	1
Kutz.....	1
Lewis.....	1
McCullough.....	1
McNabb.....	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins.....	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers.....	1
Quint.....	1
Saxton.....	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard.....	1
Wallis.....	1
Whiting.....	1
Total.....	40

Mr. Smith, having received all the votes cast, was declared duly elected.

Mr. Oulton nominated L. M. Foulke.

The roll was called with the following result:

Names.	Foulke.
Abell	1
Anderson	1
Baker.....	1
Birdseye	1
Bogart.....	1
Booth.....	1
Burnell	1
Cavis.....	1
Chamberlain	1
Clark.....	1
Crane.....	1
Cunningham	1
Doll	1
Gaskill.....	1
Harriman	1
Harvey.....	1
Hathaway	1
Highy.....	1
Higgins.....	1
Holden.....	1
Kutz	1
Lewis.....	1
McCullough	1
McNabb.....	1
Nixon.....	1
Oulton.....	1
Pacheco.....	1
Parks.....	1
Perkins	1
Porter of Contra Costa.....	1
Porter of Santa Cruz.....	1
Powers	1
Quint.....	1
Saxton	1
Shannon.....	1
Shurtleff.....	1
Van Dyke.....	1
Vineyard	1
Wallis	1
Whiting.....	1
Total.....	40

Mr. Foulke, having received all the votes cast, was declared duly elected.

On motion of Mr. Gaskill, the officers elect came forward, and were sworn in by the President pro tem.

Mr. Oulton offered the following resolution :

Resolved, That the Secretary of the Senate be directed to inform the

Assembly that the Senate is now organized by the election of the following officers, and is ready to proceed with legislative business :

President pro tem	A. M. Crane.
Secretary	John White.
Assistant Secretary	H. G. Stebbins.
Sergeant-at-Arms	George I. Lytle.
Assistant Sergeant-at-Arms	E. W. Councilman.
Minute Clerk	John S. Van Doren.
Journal Clerk	W. F. Heustis.
Enrolling Clerk	J. B. Reed.
Engrossing Clerk	Robert Henderson.
Copying Clerks	L. M. Foulke, Holland Smith.

Mr. Shannon moved to lay upon the table.

Carried.

Mr. Shannon moved that the Lieutenant-Governor swear in all the officers of the Senate, the President pro tem. included.

Upon which, the ayes and noes were demanded, by Messrs. Powers, Shannon, and Burnell, and taken, with the following result :

AYES—Messrs. Abell, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Harriman, Harvey, Higby, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Pacheco, Porter of Contra Costa, Powers, Shannon, Wallis, and Whiting—25.

NOES—Messrs. Anderson, Baker, Birdseye, Bogart, Gaskill, Hathaway, Oulton, Parks, Perkins, Porter of Santa Cruz, Quint, Shurtleff, and Van Dyke—13.

The President pro tem. and the officers elect were sworn in by the Lieutenant-Governor.

Mr. Oulton's resolution was then taken from the table, and adopted.

Mr. Porter of Santa Cruz offered the following resolution :

Resolved, That the Sergeant-at-Arms of the Senate be directed to furnish each member of the Senate with five daily papers published in this State, or their equivalent in weeklies.

Adop.ed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER.)

January 6th, 1863. }

MR. PRESIDENT:—I am directed to inform the Senate of the organization of the Assembly by the election of the following officers :

Speaker	T. N. Machin.
Speaker pro tem	James Collins.
Clerk	H. G. Worthington.
Assistant Clerk	W. N. Slocum.
Minute Clerk	W. G. Wood.
Journal Clerk	James E. Smith.
Enrolling Clerk	G. H. Marble.

Engrossing Clerk.....	George A. Hill.
Copying Clerks.....	H. Polley, E. M. Lynde.
Sergeant-at-Arms.....	Thomas Lagar.
Assistant Sergeant-at-Arms.....	A. H. Winn.
Watchman.....	P. Groves.

I am further directed to inform the Senate, that the Assembly is now ready for the transaction of business.

JOHN SEDGWICK,
Clerk of Thirteenth Session.

ASSEMBLY CHAMBER.

January 6th, 1863. }

MR. PRESIDENT :—The Assembly have adopted a concurrent resolution concerning the appointment of a Joint Committee to inform the Governor of the organization of the Senate and Assembly, and have appointed Messrs. Warwick, Sears, and Banks, on the part of the House, in which resolution they ask the concurrence of the Senate.

W. N. SLOCUM,
Assistant Clerk.

The foregoing resolution was concurred in by the Senate, and Messrs. Higby, Chamberlain, and Wallis, were appointed the committee on the part of the Senate.

Mr. Porter of Contra Costa offered the following concurrent resolution :

Resolved, By the Senate, the Assembly concurring, that the loyal State of California receives with earnest favor the recent proclamation of freedom issued by the President of the United States and Commander-in-Chief of the Army and Navy, regarding the policy of the measure as necessary for the success of the efforts of the Government for the suppression of a desperate and wicked rebellion, and the re-establishment of its authority, consistent with the spirit of our institutions, and full of promise for the future permanence, unity, and prosperity of the nation, and we hereby pledge to the measure the cordial and earnest support of the people of California.

Mr. Shurtleff offered the following as a substitute for the above :

Resolved, That the people of the State of California, waiving the expression of their views upon questions not rendered imperative by the imperilled condition of their country; First, that they will continue to render the Government their sincere and united support in the use of all legitimate means to suppress the rebellion, and to restore the Union as it was, and maintain the Constitution as it is; believing that that sacred instrument, founded in wisdom by our fathers, clothes the constituted authorities with full power to accomplish such purpose. Second, that by the following resolution unanimously passed by Congress in July, eighteen hundred and sixty-one, the Government was pledged to the policy inculcated therein, and which cannot be departed from without violation of public faith, viz :

“ *Resolved*, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States now in arms

against the constitutional Government, and in arms around the Capitol. That in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect its duty to the whole country. That this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired, and that as soon as these objects are accomplished the war ought to cease."

Resolved, That we view with disfavor the recent Emancipation Proclamation of the President, believing it to be unwise, impolitic, and in direct contravention of the American doctrine, as laid down by our fathers in the war of the Revolution, and unanimously reaffirmed by the American people in the last war with Great Britain.

Mr. Shurtleff moved to refer the resolution and substitute to the Committee on Federal Relations, hereafter to be appointed.

Lost

Mr. Birdseye moved to refer to a select committee of five, with instructions to report on Thursday next, at twelve o'clock, M.

Upon which, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Powers, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Birdseye, Booth, Burnell, Cavis, Cunningham, Doll, Harvey, Hathaway, Higby, Holden, Lewis, Parks, Quint, Shannon, Shurtleff, and Vineyard—18.

NOES—Messrs. Abell, Chamberlain, Clark, Crane, Gaskill, Harriman, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Pacheco, Perkins, Porter of Santa Cruz, Powers, Saxton, Van Dyke, Wallis, and Whiting—29.

Upon the adoption of the substitute, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Porter of Contra Costa, and taken, with the following result:

AYES—Messrs. Baker, Bogart, Doll, Holden, Lewis, Quint, Shurtleff, and Vineyard—8.

NOES—Messrs. Abell, Anderson, Birdseye, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Van Dyke, Wallis, and Whiting—32.

Mr. Porter of Santa Cruz offered the following as a substitute:

Resolved, By the Senate, the Assembly concurring, that the people of the State of California most heartily and cordially indorse the Proclamation of the President of the United States, issued January first, eighteen hundred and sixty-three.

Lost.

Upon the adoption of the original resolution, the ayes and noes were demanded by Messrs. Shannon, Perkins, and Powers, and taken, with the following result:

AYES—Messrs. Abell, Birdseye, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Van Dyke, Wallis, and Whiting—21.

NOTES—Messrs. Baker, Bogart, Doll, Holden, Lewis, Quint, Shurtleff, and Vineyard—8.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Perkins, for an Act to amend the Criminal Practice Act;

Also, for an Act to amend the Civil Practice Act.

By Mr. Holden, for an Act to appropriate money for postage and express purposes during the fourteenth session of the Legislature.

By Mr. Porter of Contra Costa, for an Act to amend the Act providing for the appointment of a Measurer of Wood, in and for the City and County of San Francisco.

Mr. Parks offered the following resolution:

Resolved, That a committee of five be appointed to draft a set of Standing Rules for the Senate; also, to confer with a committee to be appointed by the House for the purpose of drafting a set of Joint Rules for both Houses.

Adopted.

At forty minutes past two o'clock, P. M., on motion of Mr. Crane, the Senate adjourned until to-morrow at eleven o'clock, A. M.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Wednesday, January 7th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Prayer was, by request of the President, offered by Rev. E. Thomas, of San Francisco.

Roll called.

Absent—Messrs. Parks and Quint.

Quorum present.

Journal of yesterday read and approved.

The President announced the following Standing Committees:

ON JUDICIARY.

Messrs. Van Dyke, McCullough, Crane, Higby, Wallis, Anderson, and Cavis.

ON ELECTIONS.

Messrs. Gaskill, Shannon, Vineyard, Cavis, and Lewis.

ON MILEAGE.

Messrs. Shurtleff, Quint, and Bogart.

ON CONTINGENT EXPENSES.

Messrs. Powers, Lewis, Bogart, Shannon, and McNabb.

Senator Higby, from the Joint Committee to wait on the Governor, reported verbally that the Governor would, to-day, present his Annual Message, with accompanying documents.

Mr. Oulton asked leave to introduce a bill for an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one.

Objection being made by Mr. Porter of Contra Costa, Mr. Oulton moved the suspension of Rule Twelfth.

Carried.

Bill read first and second times, and referred to Judiciary Committee.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Van Dyke, for an Act concerning Courts of Justice in this State, and Judicial Officers.

By Mr. McNabb, for an Act to provide for the appointment of a Mesurer of Wood, in and for the City and County of San Francisco, approved April twenty-eighth, eighteen hundred and sixty-two.

RESOLUTIONS.

Mr. Whiting offered the following resolution:

Resolved, That the Senate now proceed to the election of a Chaplain to serve during the present session.

Mr. Gaskill offered the following as a substitute:

Resolved, That the President of the Senate invite the unconditional Union clergymen of the City of Sacramento to open the Senate with prayer each morning, and to arrange the order among themselves.

On the adoption of the substitute, the ayes and noes were demanded, by Messrs. Crane, Shannon, and Powers, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Bogart, Booth, Burnell, Cavis, Chamberlain, Doll, Gaskill, Harriman, Harvey, Oulton, Parks, Perkins, Porter of Contra Costa, Van Dyke, and Wallis—17.

NOES—Messrs. Baker, Birdseye, Clark, Crane, Cunningham, Hathaway, Higby, Higgins, Kutz, Lewis, McCullough, McNabb, Nixon, Porter of

Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Vineyard, and Whiting—20.

Mr. Gaskill moved to insert ten dollars per day as a compensation.

Mr. Shannon moved to insert five dollars per day, instead of ten dollars.

The question being on the adoption of Mr. Shannon's motion, the ayes and noes were demanded, by Messrs. Crane, Chamberlain, and Porter of Santa Cruz, and taken, with the following result :

AYES—Messrs. Birdseye, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Harriman, Hathaway, Higby, Higgins, McCullough, McNabb, Nixon, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Van Dyke, and Whiting—21.

NOES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Doll, Gaskill, Harvey, Holden, Lewis, Oulton, Perkins, Saxton, Shurtleff, Vineyard, and Wallis—17.

Mr. Gaskill offered the following substitute for the original resolution :

Resolved, That the President of the Senate invite loyal clergymen of the City of Sacramento to open the Senate with prayer each morning, and to arrange the order among themselves, at a per diem of five dollars.

Adopted.

Mr. Parks moved to amend the substitute just adopted so that the consideration shall not exceed five dollars per day for each day's services rendered.

Mr. Doll raised a point of order that amendments are not in order after a substitute has been adopted.

The Chair ruled the point of order not well taken.

Mr. Doll appealed from the decision of the Chair.

Chair sustained.

Mr. Parks's amendment was then adopted.

On the adoption of the resolution as amended, the ayes and noes were demanded, by Messrs. Doll, Holden, and Gaskill, and taken, with the following result :

AYES—Messrs. Birdseye, Bogart, Burnell, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Shannon, Van Dyke, Wallis, and Whiting—22.

NOES—Messrs. Anderson, Baker, Doll, Harvey, Holden, Lewis, Oulton, Parks, Perkins, Shurtleff, and Vineyard—11.

Mr. Birdseye offered the following resolution :

Resolved, That a committee of three be appointed by the President, to investigate the transactions between the State Treasurer and the Assistant Treasurer of the United States, and that said committee be instructed to report to this body at an early day.

Adopted.

Mr. Higby moved to reconsider the vote by which the above resolution was passed.

The rules were suspended, and the motion to reconsider carried.
Mr. Gaskill offered the following resolution :

Resolved, That the Sergeant-at-Arms be authorized to make arrangements with the Postmaster and Express Agents for the transportation of letters and papers, until further provided by law.

Lost.

Mr. Oulton gave notice that he would introduce a bill for an Act to amend sections thirty-two and thirty-eight of an Act to provide revenue for the support of the Civil Government of the State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two ;

Also, a bill for the relief of Manasseh Sleeper, Tax Collector of Siskiyou County.

Mr. Chamberlain gave notice that he would introduce a bill for an Act amendatory of and supplementary to an Act concerning Attorneys and Counsellors at Law, passed February nineteenth, eighteen hundred and fifty-one.

Mr. Van Dyke offered the following resolution :

Resolved, By the Senate, the Assembly concurring, that the Senate and Assembly meet together in Joint Convention, in the Assembly Chamber, on Wednesday, the fourteenth day of January, eighteen hundred and sixty-three, at twelve o'clock, M., for the purpose of electing a United States Senator, for the full term commencing March fourth, A. D. eighteen hundred and sixty-three.

Mr. Higby moved to amend by inserting Wednesday, twenty-first.

Upon which, the ayes and noes were demanded, by Messrs. Doll, Oulton, and Saxton, and taken, with the following result :

Ayes—Messrs. Anderson, Birdseye, Cavis, Cunningham, Harvey, Higby, Lewis, Shannon, and Whiting—9.

Noes—Messrs. Booth, Burnell, Chamberlain, Doll, Gaskill, Harriman, Hathaway, Holden, Kutz, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shurtleff, Van Dyke, Vineyard, and Wallis—23.

Mr. Shannon moved to lay the resolution on the table.

Upon which, the ayes and noes were demanded by Messrs. Doll, Gaskill, and Van Dyke, and taken, with the following result :

Ayes—Messrs. Anderson, Booth, Cavis, Chamberlain, Cunningham, Harvey, Holden, Lewis, Nixon, Parks, Perkins, Porter of Santa Cruz, Powers, Saxton, Shannon, and Whiting—16.

Noes—Messrs. Birdseye, Burnell, Doll, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Oulton, Pacheco, Shurtleff, Van Dyke, Vineyard, and Wallis—17.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Doll, Oulton, and Van Dyke, and taken, with the following result :

AYES—Messrs. Birdseye, Burnell, Cavis, Doll, Gaskill, Harriman, Hathaway, Higby, Kutz, McCullough, McNabb, Oulton, Porter of Contra Costa, Shurtleff, Van Dyke, Vineyard, and Wallis—17.

NOES—Messrs. Anderson, Booth, Chamberlain, Cunningham, Harvey, Higgins, Holden, Nixon, Pacheco, Parks, Perkins, Porter of Santa Cruz, Powers, Saxton, Shannon, and Whiting—16.

Mr. Shurtleff gave notice of the introduction of a bill for an Act to divide the State into Congressional Districts.

MESSAGE FROM THE GOVERNOR.

The following Annual Message of the Governor, with accompanying documents, was received :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
Sacramento, January 7th, 1863. }

GENTLEMEN OF THE SENATE AND ASSEMBLY :

You are convened under circumstances which call for expressions of gratitude to that benignant Power, who has thus far preserved us from those perils which afflict so large a portion of our common country. Since your adjournment, the peace and quietude of the State has been undisturbed by any political commotion, and we have been blessed with a season of general health.

You meet together at a period in the history of our State which bears a marked and glowing contrast to that under which your immediate predecessors were assembled. Then a calamity, unprecedented in the annals of California, overwhelmed our people. A succession of floods were sweeping over and around us, visiting in their remorseless fury every corner of the State—covering our farms, and surrounding our farm houses, with their rising tide—rushing with a like impetuous torrent through the rugged cañons of Siskiyou, and over the vine-clad plains of Los Angeles. No section was exempt from their terrible devastation, and no community was free from the general gloom that awaited the receding waters. Mines were flooded, farms were desolated, bridges were swept away, and roads were ploughed up, by the surging element, that for a time threatened an irreparable injury to the best interests of the State.

But vast as was the peril, and destructive the character, of these repeated disasters, the recuperative energies of our people have surmounted, for the most part, their devastating effects. Our mines have resumed their accustomed yield, and our farms their wonted verdure. Bridges have been rebuilt, and roads have been repaired. New channels of trade have been opened, and new fields of industry explored, and the Legislature of the present year represents a State, not only recovered from the desolation of a year ago, but absolutely richer in population and wealth—in mineral, agricultural, and manufacturing resources.

STATE FINANCES.

With all our unparalleled prosperity as a State, our finances are in a condition, to say the least, far from flattering. The present Administra-

tion received the government from the hands of its predecessors largely in debt, from which it has been impossible to extricate it.

The accompanying carefully prepared reports of the State Treasurer and the State Controller, present a minute detail of our financial condition on the first of December, eighteen hundred and sixty-two, and from these reports I gather the condensed synopsis which follows:

State Debt, December 1, 1862.

Bonds issued under the Act of April 28th, 1857, and outstanding December 1st, 1862.....	31,727,500 00
Bonds issued under the Act of April 30th, 1860, and outstanding December 1st, 1862.....	198,570 00
Amount due the School Fund, on sales of school lands, under Act of April 23d, 1858.....	475,520 00
Appropriated by last Legislature for support of Schools....	59,433 75
Indebtedness claimed by the holders of War Bonds and Coupons, issued previous to 1857, estimated by the Treasurer of State ...	220,000 00
Due on War Bonds issued since 1857, payable when appropriations are made by Congress.....	338,920 01
Claims audited by the War Board, not bonded.....	68,621 05
Outstanding Claims, as ascertained by the Controller of State, December 1st, 1862.....	189 75 00
Total of State Debt, December 1st, 1862.....	\$5,509,284 76

Condition of the General Fund.

Outstanding Claims, January 10th, 1862.

Of those since paid by the present Administration, the amount is †.....	\$198,742 59
Of those remaining unpaid Dec. 1st, 1862, the amount is †.....	85,156 00
Drawn in December, 1861, from County Treasurers, in advance of their regular settlements, and paid into the General Fund, which properly belonged to other Funds* †.....	96,367 60
	\$380,266 19
Add to this a further amount drawn from County Treasurers in December, 1861, from receipts regularly payable by them during the present Administration, but used before that time for antecedent indebtedness*.....	155,337 74
Which shows the total indebtedness of the General Fund, upon the advent of the present Administration, January 10th, 1862.....	\$535,603 93

Receipts into the General Fund from all sources, from January 10th to December 1st, 1862†. \$577,626 00	
Amount drawn by the previous Administration from County Treasurers, from December 15th, 1861, to January 10th, 1862, which properly belonged to the regular income of February and May, 1862*.....	251,705 34
Total revenue of General Fund from January 10th to December 1st, 1862, had no payments from County Treasurers been anticipated.....	\$829,331 34
Expenses of present Administration, from January 10th to December 1st, 1862; paid†. \$283,060 00	
Additional Expenses for same period; not paid† 455,957 70	
	738,117 76
Excess of Receipts over Expenses during present Admin- istration, from January 10th to December 1st, 1862.....	\$91,213 58

* See Treasurer Ashley's Report to the Legislature of March 15th, 1862.

† See Controller Warren's Report to the Legislature of December 17th, 1862.

It will be seen from the foregoing figures that, had the present Administration entered upon its duties with the General Fund untrammelled by the incubus of a debt of more than half a million of dollars, the receipts into that Fund, during its term from January tenth to December first, eighteen hundred and sixty-two, would have been sufficient to pay all the accruing demands upon it, and leave a surplus of ninety-one thousand two hundred and sixteen dollars and fifty-eight cents (\$91,216 58.)

While the State is generally prosperous in all its real sources of greatness and wealth, as proved by the assessment list, which has been augmented during the year some thirteen millions of dollars, and while the current expenses of the Government have been much reduced from those of former years, yet it will be seen that the General Fund, out of which all the current expenses of the State Government are to be paid, is largely behind. There is, however, an improvement in this Fund of some five hundred thousand dollars (\$500,000) for the year eighteen hundred and sixty-two, as compared with the years eighteen hundred and sixty and eighteen hundred and sixty-one, during which years the General Fund ran behind, an average of four hundred thousand dollars a year. On the fifteenth of December, eighteen hundred and fifty-nine*, there was a balance in this Fund of two hundred and seventy-eight thousand six hundred and fifty dollars and twelve cents (\$278,650 12), while on the tenth of January, eighteen hundred and sixty-two†, the same Fund was in debt five hundred and thirty-five thousand six hundred and three dollars and ninety-three cents (\$535,603 93), making a total deficiency in the Fund during the two years immediately preceding the present year, of eight hundred and fourteen thousand two hundred and fifty-four dollars and five cents (\$814,254 05.)

* See Treasurer Findley's Report, December 15th, 1859.

† See Ante.

This exposition of our financial affairs leads to the conclusion that the necessary expenditures of the State have been made upon an indefinite credit, that could but largely increase them; and that this embarrassing and injudicious condition of affairs must continue until provision is made to pay off this floating indebtedness, bequeathed to us by our predecessors. The Controller estimates that an increase of twenty-three cents on the hundred dollars will be sufficient to liquidate this debt within the coming year. But it is my belief that the Controller has made too low an estimate. That additional percentage upon the present assessable property of the State, even with the close economy that has been practiced during the past year, would yield a sum barely sufficient, without taking into account delinquencies and deductions for collecting, which are at least twenty-five per cent. I would therefore recommend, unless other sources of revenue can be devised, that, after a careful consideration of the whole subject by the Legislature, a percentage be added to the rate of taxation that will produce revenue sufficient, after deducting commissions and delinquencies, to put the Treasury upon a strict cash basis, believing, as I emphatically do, in the *pay as you go* system, wherever it is practicable.

A careful perusal of the Controller's and Treasurer's Reports will show that this heavy increase in taxation would not be necessary, were the revenues due to the State from other sources properly collected. If by stringent laws and the imposition of severe penalties upon those officers, county or State, who neglect or fail to perform their duty in collecting the revenues, it were possible to secure a better and more faithful discharge of their obligations to the State, then such laws should be passed. The most apparent dereliction of duty is in the collection of poll taxes, which in some counties is almost entirely neglected.

This might be remedied by a registry law, requiring before voting at an election, that the person offering his vote should have had his name registered so many days, in the proper locality, and requiring, as a condition of registry, the payment of his poll tax.

The Treasurer and Controller of State, in their reports, refer at length to the matter of the first payment made of the State's quota of direct tax apportioned to California by Act of Congress, passed August fifth, eighteen hundred and sixty-one. As their views and conclusions differ from my own, and are not warranted by the law, I append herewith copies of the only correspondence had in the premises, marked A, B, C, and D.

As this matter has provoked much discussion in the public prints, I content myself with simply remarking further that I was entirely unadvised, previous to the payment, of the course adopted.

THE CHINESE TAX.

Another principal cause of deficiency in the Revenue Acts of the last Legislature, is the decision by the Supreme Court of the unconstitutionality of the Act of twenty-sixth of April, eighteen hundred and sixty-two, entitled "An Act to protect free labor against competition with Chinese coolie labor, and discourage the immigration of the Chinese into the State of California." From the operation of this law, a large revenue was anticipated. The principal, and evidently controlling reason, that influenced the Court to the conclusion to which it arrived, was doubtless that the Act was construed as an intended prohibition of Chinese immigration into California.

The law itself, in some particulars, was, probably, not judicious; but,

if possible to avoid the constitutional objections raised by a majority of the Court, but from which the Chief Justice dissented. I trust you may find it advisable to provide a substitute that may reach the true object desired, which is, the discouragement of Chinese immigration, and not its total prohibition. On another occasion I discussed the question of Chinese immigration, and as my opinion, then expressed, remains unchanged, I here reiterate what I then said :

"By our constitution the Chinese cannot become citizens—by our laws they are incapacitated from testifying in courts of justice against citizens, or those who may become such. This state of things induces oppression, of which they are the victims; and as they are entirely cut off from the right of suffrage, they are denied, among us, the benefits of freedom, and are compelled to taste, in part, the bitter fruits of oppression and slavery. It is not humane—it is not in accordance with the principles of justice and of right, that we should invite or encourage the immigration of a people regarded so unfavorably by our fundamental law. And while this is the case, it is my belief that we should endeavor, by all honorable means, to stop the human tide that is setting from the western toward the eastern shore of the Pacific.

"This end may be attained without hardship, by giving timely notice to those who may desire to come among us, and at the same time without oppressing those who are already here. While our laws regard the Asiatics as inferiors, we should not forget that to nearly the extent that they settle among us and perform labor, they exclude, and withdraw inducements for the immigration of, those who would be most desirable citizens.

"The great inducement for immigration is labor and its reward. If, then, it is acknowledged that the laborer is worthy of his hire, and that he shall enjoy the fruits of his labor, it is undeniable that to nearly the extent that we admit a class who may be called cheap laborers, we exclude the higher and more enterprising and labor-creating class.

"There is no argument advanced in favor of the cheap labor of a class who are denied the rights of citizenship and the equal benefits of the laws, and who are compelled to bear burdens of taxation not borne by those who make the laws, that has not ever been advanced in favor of slavery, and that was not advanced at the time when the institution that has resulted in such direful consequences was first planted upon the free soil of America, and that has not been advanced to maintain it.

"Let us not, because at the present time the demand for labor seems to be greater than the supply to be had from free white citizens, be false to the great and ennobling principles which should actuate us—those principles of free labor and of free society for which we now strive in our efforts to uphold the Government and to preserve the Union.

"We know not to what extent the immigration from China may be carried, with the present, and probably to be increased, facilities for its continuance; but we do know that about one sixth of the population of our State is of that class, notwithstanding the great difficulties and discouragements they have had to encounter in order to make their way to a foreign shore and among a people of a different race."

REPORT OF THE ATTORNEY-GENERAL.

The Attorney-General sets forth, in strong language, the ill effects of denying the privilege of testifying in our Courts to certain classes because

of their color, and observes that the question is not a political one, but one that touches the interests and rights of all.

This subject is one of great importance, as it pertains directly to the administration of justice and the order and peace of society; and whatever objections there may be to allow Pagans to testify, who can only be very imperfectly examined through an interpreter and without the solemnity of an oath, they do not apply to those of a Christian faith, whose language is the same as our own.

The Attorney-General also refers to the practice of carrying concealed weapons, and attributes most of the homicides that so painfully afflict society and disgrace the annals of our State to this pernicious habit. If possible to remedy so crying an evil by the enactment of laws that will reach it, the subject should receive the earnest consideration of the Legislature.

REPORT OF THE SECRETARY OF STATE.

This Report shows a satisfactory condition of affairs under this officer's control. He represents that in consequence of the increase in the number of counties and towns in the State, there is an insufficient number of copies of the statutes furnished his office to supply the increased demand, and recommends that an additional hundred copies be ordered for the ensuing year. It also appears from the Secretary's Report, that the earlier archives of the State are in a deplorable condition, causing a vexatious delay, oftentimes, to find a required document connected with the earlier years of the State Government; and he wisely suggests that an appropriation be made to defray the expense of collating and indexing them. Two thousand dollars is the estimated cost of doing the work in a proper manner.

The Secretary also calls attention to the expense of enrolling the laws, and the imperfect manner in which it is often done. He shows that the copying of the enrolled laws, with the tables required by law to be published with them, cost in his office but four hundred and fifty dollars, while as done by the Legislative clerks, the cost amounted to more than six thousand dollars. The Enrolling Committees are properly responsible for the correctness of the copies which are subjected to their supervision. Their duties are of an important character, and require constant care to prevent mistakes. It is no doubt traceable to the neglect or carelessness of an Enrolling Committee that the difficulty and uncertainty regarding the Constitutional Amendments have chiefly arisen. To guard against these errors in future, I refer you to suggestions embodied in the Secretary's report.

WAR BONDS.

The report of Samuel B. Smith, War Bond Commissioner to Washington, is presented for your information. The claims allowed by California amount in the aggregate to four hundred and forty-nine thousand six hundred and five dollars and seventy-four cents, (\$449,605 74). To pay which the General Government have allowed the sum of two hundred and twenty-nine thousand nine hundred and eighty-seven dollars and sixty-seven cents (\$229,987 67) only. To properly apportion the amount allowed, to the various bonds, is, I am assured, a difficult task, requiring much labor and care. This is being performed by Mr. Phelan, Clerk of the Commission. For a full detail of this whole subject, you are referred to the instructive exposition embodied in the report of the Treasurer of State.

INDIAN HOSTILITIES.

I regret to inform you that during the year just passed, Indian disturbances, depredations, and murders, have been of frequent occurrence through an extensive portion of the State. General Wright, commanding the Department of the Pacific, to my requests for protection to our citizens, promptly responded to the extent of his ability with such military force as the exigencies of the occasion seemed to demand. But it is generally the case that the assistance reaches the scene of hostilities after the most serious occurrences are over, though it may be the means of preventing still further outbreaks. There should be absolute protection to our citizens from these repeated incursions of hostile Indians; and this, I believe, might be accomplished at far less expense than the General Government now incurs under its miserable management of Indian affairs in California.

The Indians are a distinct people, under the care and subject to the control of the General Government, and, when located upon Reservations, are beyond the reach of our State laws or authority. The appropriations now annually wasted upon Reservations in this State, with a portion of the sums exhausted in military expeditions employed in attempting to subdue the Indians, or ineffectually trying to guard the lives and property of our citizens against sudden and unlooked for attack, would, without doubt, upon one Reservation, thoroughly guard all the Indians of the State, and make their condition far more comfortable. In addition to the appropriation direct for the Reservations, and the expense of military expeditions, there are also, from year to year, enormous, and at the same time just, claims presented against the General Government by our citizens for damages to property. These claims for spoliation during the past year will, no doubt, be large.

I commend this subject to you as one involving the lives and property of our citizens, and would urge upon you to make such representations to Congress as you may consider the importance of the subject demands.

REPORT OF THE ADJUTANT-GENERAL.

It appears from the report of this officer that there are about one hundred and fifty thousand men in our State liable to military duty. Of these, some five thousand are armed and disciplined, and ready for service. It will be seen from these figures that we have the numerical force, if properly armed and equipped, to protect ourselves against any land force that could be brought to menace our soil. Do not the merest dictates of prudence and the economy of wise forethought urge the necessity of putting our militia upon such a footing that in any emergency they may prove equal to the defence of our property, our homes, our lives, and our State?

The terrible ordeal through which our country is now passing should teach us a salutary lesson. Had the militia of the country, at the breaking out of the present war, been efficiently organized, armed, and equipped, is it too much to believe, in view of their overwhelming numbers, that they would have been a force at the command of the President sufficient to have crushed the rebellion in its infancy? And more than that, had the militia in the loyal States been upon a proper footing, is it not probable that the knowledge of this fact would have deterred the Southern traitors from their insane purpose? If so, the enormous expense, the

blood and the anguish of these cruel years might have been spared, and that, too, at a comparatively trifling cost. Shall we not profit by the light of past experience, and provide for such an increase of our organized militia as safety requires, and for such Camps of Instruction as shall insure their efficiency and stimulate the military spirit of our people?

No people who fail to keep alive their military spirit can long retain the respect or confidence of other nations. If they become so absorbed in the pursuits of peace as to forget and ignore the arts of war, their national honor and safety are in danger, even though they possess mines of untold wealth, a climate of unsurpassed excellence, and a soil rich in the choicest productions. To cultivate a martial spirit and a national pride in the rising generation, appears to me as much the duty of Government as to cultivate their intellectual and moral powers. Nor, when rightly viewed in connection with man's nature as exhibited in the past, should the philanthropist or advocate of peace disapprove of the careful training of our youth in a science that may be the means of preventing war, and at the same time foster that martial spirit of patriotism that has become historic in our race.

Switzerland, perched among her mountains, gives to each citizen a military training. Thus, at a recent crisis in her history, she found herself possessed of an army of two hundred thousand trained men, ably officered, with which she subdued a revolt of seven of her Cantons, which for a time threatened the disruption of the Republic. Let us of the Pacific coast profit by her example. Let us provide by law that the military art shall be made a necessary part of education in our free schools, academies, and colleges. Thus, without any great increase to our annual expenses, we shall steadily prepare the substance of a powerful military organization. I cannot too earnestly recommend the subject to your consideration.

It is the duty of the General Government to protect all parts of the Union; but while this is so, we must be practical ourselves, and deal with things as they are, and as they are likely to be. In consequence of our isolated position, in case of a foreign war we shall be obliged to depend upon ourselves for soldiers; and for arms, upon what may chance to be in our midst. We can, under these circumstances, very justly call upon the General Government to supply us with needful arms. The Atlantic States are so near the source of supply that, in case of need, all the munitions of war can be readily provided; while we, if left to our own resources, would have to bear a great and unequal burden. My efforts, thus far, to obtain arms from the War Department have been without success. General Wright informed me in a personal interview, and also by letter, that he would assume the responsibility, and furnish arms to the extent of his means, for our organized militia. With a knowledge of this fact, which I am glad to make public, I trust there will be an increased exhibition of military ardor among our people, and a more rapid organization of companies throughout the State.

I would recommend that a special tax be levied in such an amount, and to be expended in such a manner, as the wisdom of the Legislature may determine, which shall constitute a fund for making our militia more effective. For other suggestions upon this subject, you are referred to the report of the Adjutant-General.

CALIFORNIA VOLUNTEERS.

Of the volunteers of this State in the service of the United States, I have the pleasure to inform you that reports from all sources agree in according to them the utmost gallantry where opportunity has been offered for action, and they deserve, as they doubtless will receive, the proud commendation of the State. Should they be called upon to mingle more actively in the deadly strife, they will acquit themselves as true patriots and brave men, according to that high standard which our people would recognize only as a proper measurement for Californians.

In this connection, I desire to call attention to a subject of manifest justice to our volunteers in the field, and it may be of overwhelming importance to our State at large. It is not impossible that ere this, on our part, sacred straggle is ended, a majority of our citizens, capable of bearing arms, may be called to an active participation in the work which the nation has before it. How important, then, that every right which our citizen soldiers possessed at home should follow them to the camp and to the field. Do they forfeit any of their privileges as men when they assume the garb of the soldier, to fight for and protect their homes and their country? Most assuredly not. Let their voices, then, be heard in the councils of the State they represent, and their views be consulted in the management of its affairs. Let their votes be recorded with the votes of other citizens at our general elections, to whatever field they may be called in the discharge of their duty. Let no loyal man who responds to his country's call be disfranchised, to the possible endangerment of the Government. To the extent that they are deprived of the exercise of the elective franchise is the power increased of the unpatriotic voters who remain at home. To your patriotism, representatives of the people, I commit the subject.

HARBOR DEFENCES.

Earnest representations should be made by the Legislature to the National Government for complete protection to the harbor of San Francisco. This is a subject the imperative importance of which needs but to be suggested, I am sure, to command your active consideration.

PEACE OF THE STATE.

Aside from Indian disturbances, good order has generally prevailed throughout the State. In one instance, however, in the County of Sonoma, there was an open and violent resistance to the Sheriff in the execution of his duty, and which he was unable to overcome with the civil force at his command. Upon representation of this fact, I ordered to his assistance the Petaluma Guards and the Emmet Rifles, comprising a force of about sixty men, under the command of Captain Hewlett. With this aid he was enabled to perform his necessary duty, and the majesty of the law was vindicated without bloodshed. For this, the expense to the State was about twelve hundred dollars.

CHARITABLE INSTITUTIONS.

Among the charitable institutions in aid of which the State makes donations, I cannot forbear to make special mention of the Catholic and Protestant Orphan Asylums at San Francisco, for the great good they

accomplish, and the admirable manner in which they are conducted. The Deaf, Dumb, and Blind Asylum, is also deserving of special mention. I commend these institutions to the continued care of the State.

STATE PRISON.

This institution is being conducted at much less expense to the State than ever before, as will be seen from a brief statement of its transactions, which is given herewith. This cost would have been still less had the Directors been furnished with cash from the Treasury for the purchase of supplies. Owing, however, to the depletion of the General Fund, which has been alluded to before, the Directors have been obliged to purchase on long credit, and, consequently, at greatly enhanced prices, materials and supplies necessary for the sustenance of the prisoners, and the much needed improvements of the Prison. Of the appropriations made by the last Legislature, and the one that preceded it, for the support of the prison for the year eighteen hundred and sixty-two, the Board of Directors have not received one dollar. This position of affairs, while it subjects the creditors of the State to repeated disappointments and great loss, does not reflect credit upon a commonwealth having the means and the resources which it is the boast of Californians that their State possesses.

During the year a large amount of important and absolutely necessary improvements have been made. New buildings have been erected, and repairs and additions made to old ones. New gates have been built, giving the enclosure more than double strength. Water has been introduced from a distance into the prison yard, and an immense area of new roofing put upon the old and leaky buildings. With this expenditure for the comfort of the prisoners, the institution enters upon the inclement season as well prepared for its cold and rain as the circumstances of the case will admit.

But with all these improvements, the State Prison is far from being such an institution as a great State like this should possess. In its reformatory character it is an utter failure, in consequence of the necessity of confining a great number of prisoners in a single room, and in a limited space. Thus it is impossible to prevent free communication among the prisoners. The oldest, most experienced, and most hardened in crime, associate with those who are comparatively uncorrupted, and with those for whose reformation there might be reasonable hopes. In this way, the whole community within those walls tends strongly to a common and corrupt level of depravity. This condition of affairs can only be remedied by an increased number of cells.

At present most of the convicts are idle, the State not having the conveniences nor the money to purchase materials with which to give them employment. With a system of solitary confinement, it would be possible to make the prisoners esteem it a privilege to be permitted to perform a reasonable amount of labor. With such a system, convict labor would be far more desirable to contractors, and all prisoners not incapacitated by disease could be employed to the best advantage.

The annual report of the State Prison Directors will offer for your consideration a general detail of its affairs, of which the following is but a brief synopsis:

Prison Statistics for 1862.

Total liabilities of Prison, contracted between January 18th, and December 1st, 1862, and now outstanding.....	\$54,454 82
<i>Increased assets from January 18th, to December 1st, 1862, viz :</i>	
Stock in Commissary store.....	\$2,441 52
Wood, hay, and straw.....	1,985 00
Personal property	3,150 00
Due from contractors, and other book accounts	12,239 53
	\$19,816 05
	\$34,638 77
Expended on Prison improvements, from January 18th to December 1st	\$13,000 00
Cost of sustaining Prison from Jan. 18th to Dec. 1st, 1862.	\$21,638 77

Cost per month, two thousand eighty-one dollars and ninety-three cents (\$2,081 93.)

Average number of convicts, five hundred and eighty-five.

Cost to the State of each per day, twelve cents.

Number of prisoners pardoned, five.

Escapes not recaptured, sixteen.

REFORM SCHOOL AT MARYSVILLE.

This institution is a costly one to the State, and does not accomplish a commensurate amount of good. At present, the care of an average number of about ten boys costs the State as much as the care of two hundred convicts at San Quentin. It would be far more economical to make an arrangement, which doubtless can be done, with the Managers of the Reform School at San Francisco, for the care of the inmates at a reasonable cost.

INSANE ASYLUM.

The Report of the Trustees of this institution indicates that it is not in a satisfactory condition, and that it is greatly in need of relief in various ways. The difficulties under which the Asylum labors, and the remedies proposed to remove them, are stated in full in the Report of the Resident Physician to the Trustees.

To the several reports, and the accompanying tables, which are forwarded to you herewith, I refer you for particular information.

STATE CAPITOL.

The State Capitol Commissioners, under the Act of April nineteenth, eighteen hundred and sixty-two, after making the settlements required in the Act, expended the balance of the appropriation, thirty-four thousand two hundred and thirty-five dollars and eighty-one cents, (\$34,235 81,) as directed. The Commissioners highly approve of the present system of purchasing material upon contract, and doing the

work by daily labor, being satisfied that it is cheaper and better than the old contract system.

The fact is deduced from the report herewith submitted that the amount paid to the former contractors for relief and for annulling their contracts, was an entire loss to the State, amounting to more than the sum total expended upon the building this year.

It is estimated that the sum of one hundred and twenty thousand dollars (\$120,000) could be judiciously expended during the year eighteen hundred and sixty-three, and the Commissioners recommend that a tax of one mill on the dollar be levied on the assessable property of the State, to constitute a special fund for the construction of the State Capitol. As much of the money expended is for day labor, the inconvenience and embarrassment of a want of ready money, and the uncertainty when it can be had, is very great. An inspection of the work done upon the building will show the judiciousness with which the expenditures of the last season have been made.

I fully concur in the views and recommendations of my associates in this Commission, and submit the report for details of special interest.

That the Capitol should be urged forward to completion without delay, there can be no question. Aside from the inconvenience and expense arising from the want of a suitable Capitol building, the present exposed condition of our State Library and the public archives, is a subject of serious moment.

STATE LIBRARY.

I am informed by the State Librarian that the sum of six thousand five hundred dollars (\$6,500) has been paid into the Library Fund during the past year. The number of books now on hand is twenty-two thousand two hundred and seventy-eight (22,278) of which one thousand four hundred and forty-six (1,446) valuable works have been added during the year eighteen hundred and sixty-two, one thousand three hundred and eleven (1,311) by purchase, and one hundred and thirty-five (135) by exchange. This is a greater number than ever purchased before in a single year.

STATE NORMAL SCHOOL.

The Legislature of last winter made an appropriation for the establishment and support of a State Normal School. The object has been carried out by the Board of Trustees created in the Act, and the School is now in successful operation. A further appropriation will be needed for its continuance.

The experience of our sister States in this regard has fully demonstrated the importance of these Schools, and that it is wise for us to follow the precedent their experience has so well approved, needs no argument.

SCHOOLS AND THE SCHOOL FUND.

There is due to the School Fund of the State, for lands sold on Controller's Warrants, previous to the year eighteen hundred and fifty-eight, the sum of four hundred and seventy-five thousand five hundred and twenty dollars, (\$475,520.) This sum should be in the Treasury of the State in the shape of bonds to the credit of the School Fund; but as the amount was used at the time the sales were made for other purposes than those indicated by the Act providing for those sales, the Legislature, from year to year, have appropriated a sum equal to the interest on that amount of bonds, while the bonds themselves did not exist. This

manifest injustice should be at once corrected, and it may be done without increasing our Funded Debt, by placing to the credit of the School Fund uncanceled bonds of our Civil Funded Debt, as they are redeemed, until the full amount is restored.

The Act of March sixteenth, eighteen hundred and fifty-nine, directs the Board of Examiners to purchase bonds of the Civil Funded Debt of the State, with all moneys received for School Lands. The amount of bonds purchased under this Act, previous to the date of Treasurer Findley's last annual report, was seventy-nine thousand dollars (\$79,000.) On the fifteenth of March, eighteen hundred and sixty-two, there were purchased by the Board bonds to the amount of twenty-two thousand five hundred dollars. (\$22,500,) for which the sum of eighteen thousand six hundred and thirty dollars (\$18,630) was paid. On the fifteenth of November, eighteen hundred and sixty-two, there were purchased by the Board bonds to the amount of eighteen thousand five hundred dollars, (\$18,500,) for which the sum of seventeen thousand five hundred and eighty-five dollars (\$17,585) was paid. Total amount of bonds realized to the School Fund under the Act of March sixteenth, eighteen hundred and fifty-nine, is one hundred and twenty thousand dollars, (\$120,000.) This sum will be increased by the balance now in the School Land Fund to one hundred and fifty thousand dollars. (\$150,000.)

There is unpaid to the Schools, on the appropriation of May last, for interest accruing in eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, eighteen hundred and sixty, and eighteen hundred and sixty-one, the sum of seventeen thousand one hundred and forty-seven dollars and twenty cents. (\$17,147 20.) while of the sum of thirty-three thousand two hundred and eighty-six dollars and forty cents. (\$33,286 40,) appropriated for the year eighteen hundred and sixty-two, none has been paid. The principal and the interest of these funds should be held of the most sacred character, both because of the obligations imposed in their receipt, and the object for which they were intended.

Our State has the means in her ownership of lands, if the proceeds are properly cared for, to become possessed of a magnificent fund for the endowment of her Common Schools. We are bound to hold this trust sacred, by every principle of good faith to the source whence the trust came, and to those who are to become its immediate recipients. If we would secure real progress and permanent prosperity to our young and vigorous State, its educational interests must not be neglected; on the contrary, they should be nursed with an earnest purpose, and cherished with a liberal hand.

In this regard we may read with profit the history of the older States of our Union. In those communities where the system of Schools is the most perfect, and money is most freely lavished for the education of youth, loyalty and industry are the rule, and treason and indolence the exception. In those States, too, crime is less frequent, and as a consequence, the people are not burdened with excessive taxation to keep up prisons and other institutions of a penal and reformatory character. In States where little attention is paid to schools, statistics show that the reverse of this proposition prevails. Let California ponder the lessons which these contrasts teach.

No exhibit has yet been made by the Superintendent of Public Instruction, for the year eighteen hundred and sixty-two, but estimating from the tables of the previous year, the number of children between the ages of four and eighteen years will now reach nearly eighty thousand. The number under four years of age is about forty thousand. The number

attending Public Schools will not probably exceed thirty-five thousand, and of these, more than one half do not attend six months of the year. Thus it will be seen that there are forty-five thousand children, between the ages of four and eighteen years, who either do not attend School at all, or attend private Schools; the latter class probably bear a small proportion to the number indicated.

The total valuation of Public School property of all kinds, will this year no doubt reach the sum of a million of dollars, while the receipts for School purposes, including local taxation, will be about half a million. These approximate statistics will show you the present condition of our Common Schools.

THE SURVEYOR-GENERAL'S REPORT.

This is a valuable addition to the reports of that important office, and contains a large amount of statistics and other information upon subjects of vital importance to the State. It sets forth with great clearness the condition of our landed interests, and suggests various recommendations to which I would invite your earnest attention. It appears from this report that California has received from the General Government, in her munificent donations of lands, nearly nine millions of acres, of which over seven million acres are devoted to educational purposes. This is a vast interest, present and prospective, entrusted to our people, and, in connection with which, their representatives cannot weigh with too much care the various considerations that present themselves.

Other topics of great importance are ably treated by the Surveyor-General, and the reliable character of his statistics will render them a valuable addition to the archives of the office over which he has control.

SWAMP LANDS.

The Swamp Land Commissioners submit a voluminous report of their past year's proceedings. From its great length I have not been able to do it that justice which it doubtless deserves. I gather from it, however, that they have segregated a large amount of Swamp Land, and obtained proof that it belongs to the State. They have established thirty-eight Swamp Land Districts, containing four hundred and eighty-five thousand two hundred and fifty-two (485,252) acres of land, and by scientific investigation have ascertained that each and all of them can be permanently reclaimed. The amount of money expended by them is seventy-eight thousand eight hundred and ninety dollars and sixty-four cents, (\$78,890 64,) of which eighteen thousand one hundred and fifty-seven dollars and ninety cents (\$18,157 90) was paid into the Sacramento City Levee Fund, in connection with which a small amount of lands were reclaimed. These, so far as I am informed, or have been able to ascertain, are the only Swamp Lands reclaimed under the Act which created this Commission. Truly, but little seems to have been accomplished for so great an expenditure. If I am mistaken in this conclusion, no doubt the report transmitted herewith will indicate the error.

The Commissioners are of the opinion that, if furnished with a Secretary and Office Engineer, the Board might be reduced in numbers from five to three. I am of opinion that the duties of this Commission properly belong to the office of the Surveyor-General, and that that officer could perform them with a slight additional expense to the State.

I would respectfully call the attention of the Legislature to the Commissioners' report and the suggestions therein contained, and submit the whole subject to your wise deliberation.

GEOLOGICAL SURVEY.

The report of the State Geologist will furnish you with a history of the work hitherto performed by him, and a statement of what is needed to continue and perfect the labors already undertaken. Aside from the valuable addition to science which the explorations and investigations of this officer will make, almost every interest of the State will be more or less benefitted by the publication of the details of his survey. This will be particularly the case with the great mining interest, which was the very foundation of our State, and which still contributes with unceasing flow to our prosperity. If no other branch of our industry were affected, this alone would be sufficient to justify the necessary expense from year to year of a careful and thorough geological survey of the State.

MINES AND MINING.

The question of taxing mining claims by the General Government, after a long slumber, seems to be again revived. The agitation of this subject I cannot but regard as extremely impolitic. In a vast majority of claims it is impossible to estimate their value above what they may afford to the laborer from day to day, and with most of the balance there can be no ascertained permanency or reliableness of value upon which an assessment could be made with confidence or with satisfaction. A tax upon these claims can never be laid that would be just in its burdens or equitable in its results. When the sagacity and toil, the anxiety and patience, of the miner are rewarded with success, the results of that success become the subject of taxation and the source of revenue. There can be no question that the people of the United States have reaped a greater harvest of riches from our mines, under the liberal policy of the Government hitherto pursued, than they would have done had the discovery of our mineral wealth been immediately followed by Federal burdens, which must, of necessity, have been unequally imposed. It is a well known fact, that the yield of our mines finds an almost immediate distribution among our people, a fact that tends as much to strengthen the Government as though that yield went directly to her coffers. It is also well known, that while their yearly product is now equal to what it ever was, and while other interests and other communities are, through this influence, increasing rapidly in wealth, the mining communities do not advance—in fact, it is a question if they do not retrograde year by year.

Is it well, then, to place any discouragement upon an interest of such vast importance? Should it not rather be carefully fostered and judiciously encouraged?

Improvements above a certain amount upon mining claims, might, very justly, be made the subject of taxation, with every other species of property which is created by wealth, industry, or skill; but if the General Government shall determine to change her policy as to our mines, and must have revenue direct from them, it were better to dispose of the lands upon which they are found, in small quantities, having a just regard to the acquired interests existing under the past policy of the Government relative to them. I can see no good reason why the Government should retain to her use mineral lands more than, agricultural lands, for both must be equally developed by the industry of individuals, and both, without that industry, would be valueless to a nation.

Is, then, the General Government forever to retain these mineral lands, which occupy so great a portion of our territory, over which all the pro-

tection of our laws is extended, and our State never to tax the lands, whether she may think it policy or not to tax the mines? The subject is one of importance, but I cannot here discuss it to the extent which it deserves. It is a good rule, however, "to let well enough alone," and is seldom departed from with advantage.

AGRICULTURE.

Of all the varied interests of our State, there are none more important, or that promise more cheering results in their future development, than that which has for its object the cultivation of the soil. Our lands and our climate are yearly becoming better understood, and there is a growing inclination to multiply our resources in an improved and diversified increase of our productions. But there is still much room for immediate improvement. Possessing, as we do, a soil teeming with agricultural wealth, it is much to be regretted that our importations of the products of the dairy, the orchard, the vineyard, and the farm, should still be of such magnitude as are indicated by the published tables of mercantile statistics.

There are imports into our State which amount, annually, to millions of dollars, the production of which would be perfectly feasible upon our generous and prolific soil. Of these we can and should not only produce sufficient for home consumption, but they should become articles of export, and take their place in foreign markets, side by side with the California cereals which are in so much demand.

Agriculture is the great source whence come the necessities and comforts and many of the luxuries of life. It is an employment that is at once invigorating and ennobling, and when wisely pursued, where nature has been as bountiful as she has been with us, and where other advantages permit, it becomes the means of creating commerce, of inducing manufactures, and of accumulating wealth.

The Legislature of last winter passed a most salutary law, which offered rewards in various amounts to stimulate an interest in home productions. This law could most wisely be extended to embrace other articles not therein enumerated.

In connection with the subject of Agriculture, I reaffirm the views expressed in my Inaugural, with reference to settlements upon public lands. I there said:

"It is the policy of the General Government, as it is of the State, to encourage settlements upon lands belonging to the public, and in furtherance of such policy, liberal inducements are offered. Yet, under the ruling of our Courts, the settler, who has gone in good faith upon private lands, not segregated, supposing them to be public, and in fact, even when upon the public domain, may yet be dispossessed by one whose only claim is that he owns lands within boundaries that include the property in question. That a person who owns or claims but one league of land, should be able to hold, control, and dispossess others from a hundred leagues, is not only manifestly unjust to individuals, but is also to the great detriment of agriculture and the settlement and development of the resources of the State. I cannot but think that some legislation should be had whereby the settler, who in good faith has gone upon private lands not segregated from the public domain, under the supposition that he was locating upon lands belonging to the Government, should receive such equitable protection as the State is able to give."

THE PACIFIC RAILROAD AND COMMERCIAL INTERESTS.

I congratulate you upon the fact that this great work, for which California has so long and so earnestly labored, is commenced, and will be urged, I trust, as far as our State is concerned, to a rapid completion. So much has been said and written upon this subject—its advantages as a means of protection and increase of population—its opening up to us of new and extensive markets—the benefits to be derived from the stimulus it will give to the populating and developing the mineral resources of our State and of the Great Basin—leaves but little for me to offer, even did not motives of a personal character prevent me from indulging at greater length upon the subject, or of offering recommendations or suggestions relative thereto. Still, I cannot forbear alluding to the subject, if only to acknowledge, on the part of California, the magnificent aid granted by Congress to further its construction.

The question of time in the completion of this great work, whether it be a year earlier or a year later, is to California one of millions of dollars to her assessable property, and other millions to her business interests.

The natural advantages of California, combined with her geographical location, give assurance of a brilliant future, such as the world has seldom seen. San Francisco, her commercial emporium, is destined to become the seat of a vast mercantile power, which will make her the envy and wonder of modern, as Tyre, Tadmor, and Venice, were of ancient times. Sitting upon her hills like a crowned queen, as she is, with the most magnificent bay in the world spread out at her feet, she is destined to receive the wealth of Eastern commerce, undisputed by any alien power. The products of China, of India, and of Japan, will be poured into her lap, and thence transported to supply the wants of the many millions destined to find a home in that vast central valley of the North American Continent, watered by rivers to which the Danube and the Rhone are but rivulets. Situated on the one hand at the very gate of the Orient, a share in whose trade has ever led to commercial greatness, and on the other connected by an Iron Highway with the vast valley of the Mississippi, California's principal city may become the seat of a commerce hitherto unknown on this continent.

How boundless, how magnificent, the prospect thus opened and within our grasp! The vales and hillsides of our fertile State, tilled by millions of industrious husbandmen—our gold-bearing fields yielding their hidden wealth to the miner's persistent efforts—our neighboring Territory, (soon to become a State,) under the influence of labor, and skill, and capital, giving out its streams of silver and gold, surpassing the riches of the land of the Incas—our ships whitening with their sails the peaceful expanse of the broad Pacific—our manufactures, started into new life, availing themselves of our now useless waterfalls, and filling our marts of trade with the hum of industry; all this may be accomplished if we have but the will and the energy to take advantage of the current of events, which point unerringly to these results.

Situated as we are, in a position to command the East and the West, we have but to avail ourselves of these natural advantages to place our commercial metropolis and State beyond the fear of rivalry, or the dread of competition. The future cannot be doubtful if California be true to herself. For the realization of this bright promise no burdensome taxation is necessary, no aid from the State Treasury is required; nothing but the enterprise that appreciates golden opportunities, and the energy that commands success.

The Federal Government, with a munificence unparalleled in the history of American legislation, has opened to us the stores of her wealth, and asks only that we use wisely what she so generously bestows. The most vivid imagination will fail to realize the vast benefits to accrue to our State and country from the accomplishment of the work to which this national aid is given. The principal advantages will be felt, no doubt, in our metropolis, but she is closely identified with every interest and every portion of the State, and her grandeur will ever be California's pride. As a branch of this subject, and coincident with it in commercial importance, is the establishment of steam communication with Asia. Various projects have been discussed, and efforts have been made to perfect them. Whatever may be the result of these efforts, the completion of a Pacific Railroad would assure their success, as certain as effect follows cause.

EASTERN BOUNDARY.

The settlements lately made along our eastern line, both in Nevada Territory and in California, render it of the utmost importance that the boundary should be clearly defined. Questions of jurisdiction are constantly arising, and it will soon be necessary for the peace and good order of the two communities, that the limit of each should be definitely marked and established.

I would recommend that Commissioners be appointed, in connection with those named by Nevada Territory, to determine the location of this boundary during the present year. Having ascertained where our present line is, we shall be in a better condition to consider the propriety of adopting the line suggested by Congress.

LEGISLATION.

There has been much, and no doubt, to a certain extent, just complaint relative to special legislation in years that have passed. It is very questionable, however, whether, in the unsettled condition of the State, more extended powers of legislation by local authorities would have been as safe for their respective communities as in the hands of the State Legislature. Had there been a more thorough heed for personal responsibility, and a real determination to discharge faithfully the obligations of public trust, the condition of affairs would have been materially affected. This change has now, in a great measure, been brought about by the progress made in good order; and the permanent settlement of our people authorizes the transfer of much of the legislation of a municipal and local character from the State Legislature to the Boards of Supervisors in the different counties.

Special legislation is of itself far from objectionable; indeed, general wants ought to be so anticipated that most of our legislation should be of a special character. Let the actual needs of the State at large be ascertained, and general laws passed to meet them; let as much of our legislation as is safe to trust to local governments be transferred to them; let the laws already passed be revised and codified, and the result will be that legislation will be greatly simplified, the people will better understand the laws under which they live, and the sessions of the Legislature will be much shorter and less expensive.

All who have occasion to examine into the statutes of California cannot but be deeply impressed with the state of wild confusion into which they have fallen. Such is their condition that no person, not versed in

law, can with any certainty of correctness, turn to the pages of our statute book to ascertain what the law is. For all practical purposes, so far as knowledge of them is intended, the example of the Roman tyrant might be followed, who complied with the letter of the law, requiring the publication of the ordinances of the empire, by posting them upon a column high above the range of ordinary vision, thereby accomplishing the double object of complying with the law, and keeping the people in ignorance of those rules by which they were to be governed. The Bar and the Bench find it alike difficult to extract order out of this wild scene of statutory confusion and chaos.

The necessity of a thorough codification of our laws has long been apparent to the legal profession, and has been frequently urged upon the attention of the Legislature.

All the States in the Union which have been thirteen years in existence have attended to this important duty, with the exception of California, and I would recommend that we follow so wise and just an example.

A Commission of three men, learned in the law, should be appointed for the performance of this much needed work.

CONSTITUTIONAL AMENDMENTS.

There has arisen much and grave doubt whether the requirements of the Constitution in regard to amendments have been so complied with as to make the amendments which the people voted upon at the last election, part of that instrument. Until the question has been carefully considered, I would suggest that great care be taken in framing laws, to meet the contingency of either determination.

You will necessarily be called upon at an early stage of your proceedings to determine the question for yourselves. It is one of great delicacy and of infinite importance. It addresses itself to all departments of our State Government, and being of a political character, it is one of which each department may very properly undertake to decide for itself.

Were it a question of simply construing an acknowledged Constitution, there would be no serious difficulty, for all would agree that the decision of the Judicial Department would be authoritative and final; but it is one of what is the letter of the fundamental law which the people have established to guide and control the Government in all its branches. It is most unfortunate there should be a question as to what is the letter and substance of the Constitution. In the event of a disagreement between the different departments, much confusion might be the result, and possibly anarchy.

Hence it will be seen that the question, as to whether the amendments are properly adopted, is of immeasurably graver consequence than the amendments themselves. A precedent for future action is to be adopted. It is whether the people will adhere strictly to the rules they have heretofore laid down for their guidance and protection against the power of hasty and inconsiderate action of mere majorities to determine what shall be the Government under which they will live.

It is to be regretted that we have not the opinion of the Supreme Court to enlighten us towards a correct conclusion.

For my own part, regarding this as a question that addresses itself to every citizen, I shall attach the utmost importance to the decision arrived at by the immediate representatives of the people in Legislature assem-

bled. I do not deem it necessary to point out how the question arises, because I feel assured that it is one which has engaged more or less the attention of every member of this Legislature, and the full history is to be found in the Journals of your predecessors.

FEDERAL RELATIONS.

You are assembled at a serious and trying period of our nation's history. The armed conflict under which our country trembled from its centre to its extremest verge, when you last adjourned, still hangs like a black cloud over the land. Our Union and our institutions are still threatened by a gigantic rebellion that has for its aim the disruption of the one as a means for the overthrow of the other, and which, in want of justification in wickedness, in folly, and iniquity, stands unparalleled since Lucifer and his myrmidons rebelled against the Most High.

You are called upon to legislate for a commonwealth that is chief in influence upon this western half of a continent. How vast is your responsibility, not only in the present but in the future! As the head of one of the departments of our Government, and called to the most intimate coöperation with your proceedings, and feeling the great responsibility arising from our relative positions in these troublous times, I cannot refrain from congratulating the State upon the loyal character of her legislative representatives.

It is in your power to do much to further the maintenance of our Union, and of those institutions so dear to all who appreciate the glory and happiness of equal and free citizenship. That you will bring a wise, patriotic and energetic determination to the consideration of subjects affecting either of these results, I cannot permit myself to doubt; and I feel assured that you will exhibit equal energy and wisdom in the discussion of all questions that affect, in any way, our national affairs.

On the first day of the present year, the President of the United States, in the exercise of his constitutional powers, as a necessary war measure, emancipated the millions of slaves held by disloyal and traitorous masters. While intended to accomplish physical results, it yet necessarily becomes a great Moral Declaration, insuring for the future, in all human probability, with the voluntary consent of loyal States and masters, the entire abolishment of slavery throughout our country. On that day the freedom of four millions of people was assured, an event which will make it memorable as the commencement of a new era in human progress.

For centuries to come, a new and thrilling interest will be added to the social festivities that always usher in the year, for hereafter it will be the anniversary of the greatest moral event of the nineteenth century. The President, in the exercise of his duty, in defence of the Government, and in suppressing the most extraordinary rebellion recorded in history, has performed an act that will inure to his lasting fame, and to which the future statesman will recur as one that blotted out an ignoble stain from our national escutcheon, and gave a new impulse to human liberty and human progress.

Hereafter, ours is to be the land only of the free. The stigma of human slavery is no longer to be borne by our countrymen in foreign climes. Let us, then, rejoice, and hasten, by resolutions of approval, to share to the utmost in the glory of the great event.

The President, from the inception of the rebellion, comprehended the vastness of the impending struggle, and foresaw that the military

strength of the country, and the exercise of unusual constitutional powers, would be necessary to conquer a peace and restore the Union. But, though this was fully understood by the President and his constitutional advisers, a large portion of the people in many of the loyal States did not appreciate the terrific character of the contest, but fondly hoped that the usual powers bestowed upon the President in times of peace would be fully equal to the emergency. It was well, therefore, in resorting to a measure that would revolutionize the institutions of the rebellious States, that the people should first be convinced of its necessity, and that nothing short of the complete overthrow of those institutions, which were at once the source and strength of the rebellion, would restore the peace and unity of the Government.

It is our privilege and our solemn duty, as we would strengthen the Government in its mighty struggle, to sustain and indorse in the most positive manner this act, which can never be rescinded, and the rescinding of which will never be desired. The aggregate good to result from emancipation of the slaves cannot be estimated. It is beyond the reach of human forethought to penetrate the glad future which is opened up by this one act of the Chief Magistrate of the Nation.

There may be, and undoubtedly will be, instances of individual hardship in the general working of the plan, but that ultimate and immeasurable good will be the result, cannot be doubted. There will be no loss in the supply of labor; it will rather be stimulated to new vigor by the consciousness of freedom. How much the proclamation will hasten the ending of this terrible struggle, no one can know, but let us hope that its influence will be equal to the magnitude of the act in its moral aspect.

With success to our Government, the tide of human freedom, from this time forth, sets with resistless wave over the world. Hereafter we shall not look to the future to see reproduced the bondage, degradation, and misery, of the past.

Lamentable as is the fact, through the long ages of the world there has been ever revealed the one sad condition of the many, oppressed and toiling wearily for the few. This can only result from keeping the many ignorant, and the few, alone, intelligent. An earnest appreciation of rights brings with it the power to maintain them; and rights honestly gained and judiciously distributed, give a healthy tone to the public voice. Hence it is that democracy, in its true acceptation, indicates and is only consistent with an enlightened elevation of the people; whereas, a permanent aristocracy exists, and can exist only, where the people are unenlightened and the masses degraded, and where there is a steady opposition to that real progress of society which invites all, high and low, to its wide embrace. Democracy involves the greatest possible enlightenment, mentally and morally, for all, and is inconsistent with the idea of those privileged classes who reap the fruit of others' industry, being themselves exempt from their share of the necessary burdens of life.

The fierce war in which our country is now engaged is one of principles, and is of far more importance in its moral consequences than in its physical results, tremendous as are the latter. The rebellion owes its strength to the unlimited control which the institutions of the South give to the few who have for years controlled her destinies; but that strength would be weakness, did not the ignorance of the masses uphold the element which governs and subdues them.

It is the Aristocracy of the South that makes war upon our National

Government, and it is that which keeps alive the system of oppression and wrong which is at once the creature and the creator of the antagonism to our free institutions.

Our Government, though democratic in its structure, has been for years really in the hands of the most thoroughly aristocratic class of modern times. This element is every where the same; it arrogates to itself a superiority that oppresses, and loudly proclaims the right to appropriate to itself the toil, the industry, and even the lives, of all beneath it in the social scale. This system has been more selfish and more perfect in portions of our country than in any other civilized community of modern times, and when it was seen that the administration of the National Government was about to pass from its hands into those who would lift it to a true democratic standard, its fears were awakened that this new spirit, thus infused into public affairs, would soon penetrate and pervade its own especial precincts, to the ultimate and certain overthrow of their oligarchy. It determined, in its ever-constant spirit of selfishness, in order to prevent this last catastrophe, to dissolve the Union, though to do so, civil war, with all its attendant horrors, should follow. Such, to my mind, is the character of the conflict that now devastates so large a portion of our country. It is a war of institutions, and it must terminate in entire victory or entire defeat. We must triumph absolutely, or the result will be a moral and political defeat to the cherished principles upon which our Union was founded. There can be no compromise that will not be an overthrow of every element of democracy in the land. It is not a war for slavery, except as slavery builds up and sustains an aristocracy to the detriment and final defeat of democracy. Slave property, as now confessed by leading rebels in arms, was never more secure than at the commencement of the present rebellion. The conflict is against the Union, only as the Union comes in to sustain or defeat these warring elements.

Let the American people keep the standard of their principles ever before them, and we may be assured that as the Union is necessary to the protection and perpetuity of those principles, it will be fearlessly maintained, and the estimate of its value in dollars and cents will never be considered by the patriots of these days, as it was never considered by those who nursed it into life, and started it upon its glorious career.

Did we need any evidence as to the importance of perpetuating the union of these States, we should find it in the utter want of sympathy exhibited by the monarchies of Europe for our Government, and the covert aid they render to its enemies. Their course is not strange, and should not have been unexpected. It is a cause of wonder and congratulation that they should have let the golden opportunity slip to aid in the severance of that Union, which, if allowed to remain in its entirety, would ultimately urge its principles to their own borders, and, perchance, lead to convulsions and revolutions among their own people.

May that Overruling Power that guides all our undertakings, inspire us with the virtue, the patriotism, and the self-sacrificing spirit, necessary for the vast responsibilities of the occasion. Let this generation, if needful, exist upon the merest necessities of life; let them spill their blood, and finally offer up their lives a sacrifice upon a world's altar in a world's behalf, rather than that world's great good, the political freedom of its inhabitants, be destroyed, and human progress be rolled back to its earliest years.

LELAND STANFORD.

APPENDIX

TO

GOVERNOR'S MESSAGE.

CORRESPONDENCE.

[A]

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
 Sacramento, October 6th, 1862. }

Hon. D. W. CHEESMAN,

United States Sub-Treasurer, San Francisco :

SIR :—I learn with deep mortification, from various creditable sources, though not official, that on the 30th day of September, the State Treasurer, the Hon. D. R. Ashley, tendered to you on the part of the State, in part payment of the direct tax apportioned to this State by act of Congress, passed the 5th day of August, A. D. 1861, United States Legal Tender Notes, in lieu of coin paid into the State Treasury by the people of the State for that purpose.

I do now, on behalf of the people of this State, as I should then have done, had I been informed of the substitution, protest against this action on the part of the State Treasurer, and most earnestly assure you, and through you, the General Government, that the loyal people of this State have no desire to benefit themselves at the expense of the General Government.

Respectfully your obedient servant,

[Signed]

LELAND STANFORD.

Governor of California.

[B]

OFFICE OF THE ASSISTANT TREASURER UNITED STATES. }
 San Francisco, California, October 7th, 1862. }

SIR :—Your communication of this sixth instant is received. I am just advised (per telegram) by the Honorable Secretary of the Treasury to receive the Legal Tender Notes for the direct tax.

Respectfully, yours,

[Signed]

D. W. CHEESMAN,

Assistant Treasurer, United States.

Hon. LELAND STANFORD,

Governor of State of California.

[C]

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, October 13th, 1862. }

• Hon. D. R. ASHLEY,
 State Treasurer :

SIR:—That you are entirely familiar with section five of the Act to create a Board of Examiners, I cannot permit myself to doubt, nor can your attention fail to have been called to section ten of the "Act to provide for the collection and payment of the quota of the direct tax apportioned to this State" by an Act of Congress passed the fifth day of August, eighteen hundred and sixty-one.

Section five of the Act first mentioned, reads as follows :

"Section 5. The Controller shall be authorized to draw his warrants on the Treasurer for the salaries of officers, when appropriations are or shall have been made therefor by law ; but, in all other cases, previous to drawing his warrants in liquidation of any claim or demand whatever, the said claim or demand must have endorsed thereon the previous approval of the Board of Examiners ; and whenever, hereafter, the Controller shall by law be directed to draw his warrant upon the Treasurer of State, for any purpose whatever, said direction shall be construed to be subject to the provisions of this Act, unless said direction be accompanied by a special provision, exempting it from the operations of this Act."

Section ten of the last mentioned Act authorizes and requires the Controller, in payment of the aforesaid direct tax, to draw his warrant in favor of the Assistant Treasurer at San Francisco.

In the payment lately made by you towards the quota of direct tax apportioned to this State, these plain provisions of the laws, under which alone yourself or the Controller could act, seem to have been entirely disregarded.

I have been anxiously waiting for several days in expectation that I should be furnished by you with some explanation as to the extraordinary circumstances attending the payment of the first portion of the quota of direct tax. In this expectation I find myself disappointed, and now desire to call your attention to the matter, and ask, particularly, by what authority of law you obtained from the Controller of State the warrant Number 210, dated September 22d, for the sum of \$63,839 31, and payable to yourself for Assistant Treasurer of the United States at San Francisco? And further I ask, in assumption of a fact of which I am well assured, how, when, where, why, and by what authority was specie taken by you from the State Treasury vaults, where it had been placed for the use of the United States, changed into another and depreciated currency, not receivable into the State Treasury for taxes, and of which you, as State Treasurer, could take no cognizance, and that depreciated currency tendered to the United States Assistant Treasurer in payment of the direct tax due the United States from this State? Why was the United States not paid in the same currency the people had paid to

the State for the purpose of liquidating the direct tax? (See Sec. 1, Art. 3405, Wood's Digest.)

To all these I desire most earnestly and respectfully to call your attention.

Hoping to receive an early reply,

I am, respectfully, your obedient servant,

[Signed]

LELAND STANFORD.

Governor of California.

[D]

CONTROLLER'S OFFICE,
Sacramento, October 6, 1862. }

To the Hon. THE BOARD OF EXAMINERS:

GENTLEMEN:—I have this day handed the Clerk of your Honorable Board an account of moneys due from the State of California to the General Government of the United States, viz: two hundred and fifty-four thousand five hundred and thirty-eight dollars and sixty-six cents, the same being California's quota of the direct tax assessed by an Act of the last Legislature, and payable to the Assistant Treasurer of the United States at the City of San Francisco.

I have to inform you that, under my understanding of the law in question, and believing, by the terms of the Act, that this account was not required to have been audited by the Board of Examiners, and that I had authority to draw a warrant for the same, I did, on the twenty-second of last month, draw my warrant for sixty-three thousand eight hundred and thirty-nine dollars and thirty-one cents. (that being the amount on that day in the Federal Tax Fund.) which I delivered to the Treasurer of State, taking his receipt for the same.

For greater security in the premises, and desiring to follow the exact requirements of the law, I submit the account referred to for your Honorable Board to allow.

Very respectfully, etc.,

[Signed]

G. R. WARREN,
Controller.

LIST OF PARDONS

Granted by Governor Leland Stanford, for the year 1862.

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
2251.....	Angel Soto	Assault to Murder	Contra Costa.	1½ years.....	That the offence was committed while he was under the influence of liquor, the person assaulted not being injured, and that he, Soto, was but an accessory in the assault, the principal having been already pardoned, and that having been already imprisoned nine months, and a large family being dependent upon him for their support, his punishment has already been sufficient, and the ends of justice satisfied.	Hon. Thomas A. Brown, County Judge Contra Costa County; W. W. Theobalds, District Attorney Contra Costa County; Hon. F. M. Warmcastle, Hon. C. B. Porter, F. A. Mathews, and many others.
	<p>DECISION.—Whereas, a petition has been presented for his pardon, signed by the County Judge and District Attorney who tried the case, and by the person assaulted, and also by a large number of respectable citizens of Contra Costa County, setting forth that the offence was committed while he was under the influence of liquor, the person assaulted not being injured, and that he was but an accessory in the assault, while the principal has been already pardoned, and that said Soto, having been already imprisoned nine months, and having a large family depending upon him for support, his punishment has already been sufficient, and justice has been fully vindicated. Now, therefore, I hereby pardon the said Angel Soto, March 6, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which petition is based.	Names of Petitioners known to Gov.
2206.....	Roy McBride.....	Grand Larceny ...	S. Bernardino	2 years.....	That he is innocent of the crime for which he was convicted, and unfortunate in being found in the company of bad men, and that his previous character was good.	Hon. John G. Downey; Hon. A. D. Bonn, County Judge; H. C. Rolfe, District Attorney; E. M. Smith, Sheriff; James C. Pennie, late Warden State Prison.
	<p>Decastox.—Whereas, a petition has been presented for his pardon, signed by a large number of respectable citizens of San Bernardino County, and the same is recommended by the County Judge and District Attorney who tried the case, representing that there was a doubt whether he was guilty of the larceny, and that he was unfortunate in being found in the company of bad men, who were the real criminals. His conduct during his imprisonment has been good, and the punishment he has received is adequate to his supposed guilt. Now, therefore, I do hereby pardon the said Roy McBride. April 4, 1862.</p>					

LIST OF PARDONS—Continued.

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which petition is based.	Names of Petitioners known to Gov.
1696.....	John Burke.....	Murder 2d Degree	Sierra.....	12 years.....	His good conduct during imprisonment, ill health, and his punishment being sufficient.	Dr. J. D. Stillman, John Nugent, John Simms, James G. Sheppard,
	<p>DECISION.—Whereas, since his imprisonment, he has conducted himself in an exemplary manner, as certified to by former officers of the State Prison, and the former and present Physician of the State Prison inform me that, from the effect of a dangerous disease, contracted during his confinement, he is in imminent danger of dying, and fully believing that the ends of justice have been fully vindicated—therefore, let him be pardoned. November 10, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
945.....	William T. Carter..	Highway robbery.	Shasta.....	Ten years.....	His long imprisonment, excellent conduct, and his having made all the reparation possible, by returning the property stolen.	Hon. R. T. Sprague, Hon. Ben. Shurt- lett, Mrs. Mary Rhodes.
	<p>DECISION.—Whereas, the said William T. Carter has conducted himself to the satisfaction of the officers of the prison, and his punishment has already been sufficient for the requirements of justice, and his future good conduct has been vouched for by persons well known to me, and he having repaid his error, as far as he could, by returning the property stolen by him, therefore, let him be pardoned. November 12, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
2430.....	Charles Bodine.....	Robbery.....	Calaveras	7 years.....	That he was convicted upon circumstantial evidence entirely, and the affidavit of one Nino Ramerez establishes his innocence of the crime of which he was convicted.	Hon. Henry Eno, County Judge Calaveras County; W. Jeff. Gatewood, District Attorney Calaveras County.
	<p>DEPOSITION.—Whereas, one Nino Ramerez, indicted jointly with Bodine for the above crime, and now confined in the County Jail of Calaveras County awaiting his trial upon said indictment, makes affidavit before a proper officer, that he, and not the said Bodine, was and is guilty of said robbery, and that said Bodine did not know of, and did not advise nor assist in said robbery, and was not in any manner concerned in the planning or perpetration of said crime, and is entirely innocent of any crime, or criminal intent or knowledge touching said offence; and, whereas, the County Judge before whom the said Bodine was tried and convicted, and the District Attorney who prosecuted the case, certify to me that said Bodine was convicted upon circumstantial testimony, and now believing the statement made by the above named Ramerez in his affidavit to be true, they join in recommending his pardon. Let him be pardoned. December 23, 1862.</p>					

Total Pardons from State Prison.....5.

PARDONS FROM COUNTY JAILS

Granted by Governor Ireland Stanford, for the year 1862.

Date.	Name.	Crime.	County.	Sentence.	Groups on which Petition is based.	Names of Petitioners known to Gov.
Oct. 14, 1862.	Ellen McCarty	Common Drunk- apl.....	San Francisco	90 days in Co. Jail.....	Her previous good conduct and the strong hopes that are entertained of her thorough reformation.	Hon. Samuel Cowles, Police Judge; P. W. Shephard, Prosecuting Attorney; James T. Stratton.
	<p>DECIATION.—Whereas, the said Ellen McCarty has heretofore borne a good character, and her pardon being recommended by the Police Judge, Hon. Samuel Cowles, who tried her, and the Prosecuting Attorney, P. W. Shephard, Esq., who prosecuted the case; and her employer, James T. Stratton, Esq., having vouched for her future good conduct in the event of her pardon—therefore, let her be pardoned.</p>					

Date.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
Oct. 1, 1862.	John A. Lyons.....	Assault with a deadly weapon..	Butte	\$500 fine.....	That the fine was exorbitant, and the ends of justice will be promoted by the reduction of the fine.	Hon. J. B. Barker, County Judge, Butte County; John S. Berry, District Attorney, Butte County; Joseph E. N. Lewis, Butte County; W. O. Middleton, Sheriff, Butte County; B. F. Jones, Recorder, Butte County; P. H. Harris, Board of Supervisors, and eight trial jurors.
	<p>Decision.—Whereas, the remitting of a portion of the said fine is recommended by the presiding Judge who tried the case, and the District Attorney who prosecuted it, together with eight of the jury who decided the verdict, and several other officers and citizens of Butte County:</p> <p>Now, therefore, let the said fine be remitted, with the exception of the sum of one hundred dollars, and upon the payment of the said sum of one hundred dollars, it is hereby ordered that the said John A. Lyons be discharged from further custody.</p>					

Date.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
Nov. 18, 1862.	John Scanlon.....	Drawing a Deadly Weapon	Sonoma	Six months in Co. Jail.....	That said Scanlon is a remarkably honest, industrious, temperate, peaceable, and simple minded man, with a large family dependant upon him for support, and that the weapon he exhibited—a gun—was not loaded, and that he had no intention of doing any injury to any one.	Hon. Josiah Chandler, Associate Justice; La Fayette Collins, P. B. Hewitt, J. G. Wickersham, Charles Patton, Samuel Cassidy, and many others.
	<p>Decision.—Whereas, it is represented to me by a large number of respectable citizens of Sonoma County, including an Associate Justice of the Court of Sessions, that said Scanlon is a temperate, peaceable, and industrious citizen, without property, but who supports well a large family, who are entirely dependant upon him, by his own labor; and they also represent that the weapon exhibited by said Scanlon was empty, and drawn without any intention on his part of committing a crime. Let him be pardoned.</p>					

Total Pardons from County Jails.....3.

RESTORATIONS TO CITIZENSHIP

Granted by Governor Leland Stanford, for the year 1862.

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
2003.....	John English.....	Assault with dead by weapon.....	Alameda.....	1 year.....	That he has served out his full term of imprisonment in a creditable manner.	W. Van Voorhes, P. E. Edmondson, Hon. S. B. Bell, and many others.
	<p>DISCUSS.—Whereas, a number of highly respectable citizens of Alameda County have petitioned the Executive to restore the said English to the rights of citizenship, believing that the punishment has been fully adequate to the crime committed; and, whereas, he has served out the full term of his sentence, and given no cause of complaint to the authorities of the prison; therefore, let him be restored to citizenship. April 24, 1862.</p>					
No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
630.....	Ernest Kohle.....	Manslaughter.....	Alameda.....	3 years.....	That he has served out his full term of sentence in an exemplary manner, and since his discharge from the State Prison he has resided for over two years in the County of Sonoma, and has conducted himself as a good, quiet, peaceable, industrious and truthful citizen.	Wm. Wilke, District Attorney Sonoma County; Wm. L. Anderson, County Clerk Sonoma County; F. G. Hallman, County Treasurer of Sonoma County; Thomas H. Pyatt, County Recorder Sonoma County; William Churchman.
	<p>DISCUSS.—Whereas, the said Ernest Kohle has served out the full term of his imprisonment for which he was sentenced, in an exemplary manner, and from representations made to me by respectable citizens of Sonoma County, where he, the said Kohle, has resided for near two years, that he has conducted himself as a good, quiet, peaceable, industrious and truthful citizen, let him be restored to citizenship. June 12, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
1266.....	Julius Gondicuti.....	Grand Larceny...	S. Francisco..	3 years.....	That he has served out his full term of sentence, and that he is determined to reform and become a good citizen.	W. E. Robinson, Warlen, and the other officers of the State Prison.
	<p>DECISION.—Whereas, the said Gondicuti has served out the full term for which he was sentenced, and has produced from all the principal officers of the State Prison a testimonial of his good conduct while under their charge, and has evinced a determination to do all in his power to become a good citizen—therefore, let him be restored to citizenship. June 27, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
2024.....	James M. Back	Grand Larceny....	San Joaquin..	12 years.....	That he has served out his full term of sentence in an exemplary manner.	Officers of the State Prison ; A. B. Bates.
	<p>DECISION.—Whereas, the said James M. Back has served out the full period of his sentence in an exemplary manner, and to the satisfaction of the officers of the prison, who testify to his good conduct while under their charge—therefore, let him be restored to citizenship. November 25, 1862.</p>					

No. of Commitment.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
1022.....	Edward Allender.....	Grand Larceny....	Yuba.....	5 years	That he has served out his full term of imprisonment in an exemplary manner.	Hon. I. N. Quinn, and officers of the State Prison.
	<p>DECISION.—Whereas, the said Allender has served out the full period of his sentence to the satisfaction of the officers of the prison, who have testified to his invariable good conduct while under their charge—therefore, let him be restored to citizenship. November 28, 1862.</p>					

Total Number of Restorations to Citizenship.....5.

RESPIRE

Granted by Governor Leland Stanford, for the Year 1862.

Date.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
April 24, 1862	Edward W. Bonny...	Murder 1st degree	Alameda	Death.....	That said Bonny was convicted solely upon circumstantial evidence, and that for several years has been the mainstay and support of an aged father and mother and a young sister.	Hon. P. A. Gallagher, Hon. L. Quint, Hon. E. H. Heacock, Hon. Samuel Soule, Hon. R. F. Perkins, Rev. Starr King, Jos. B. Hoge, J. B. Crockett.
	<p>DECISSIO.—Whereas, information has reached me, that one Edward W. Bonny is under sentence of death, and an order for his execution on the twenty-fifth day of this month has been issued; And whereas, a petition has been presented to me asking for a commutation of the sentence of said Bonny, and further time being demanded to give said petition the consideration it requires, I have, therefore, concluded, and the Sheriff of the County of Alameda is hereby ordered, to postpone said execution until Friday, the ninth day of May, A. D. eighteen hundred and sixty-two, at which time, between the hours of twelve m. and four p. m., (in the absence of further orders,) said execution will be carried into effect.</p>					

Number of Respires.....1.

COMMUTATION OF SENTENCE

Granted by Governor Leland Stanford, for the year 1862.

Date.	Name.	Crime.	County.	Sentence.	Grounds on which Petition is based.	Names of Petitioners known to Gov.
Dec. 11, 1862.	José M. Franco	Murder 1st Degree	Shasta.....	Death.....	That great doubts exist as to the motive and intent of the unfortunate boy at the time of the collision between him and the deceased.	Hon. William P. Dangerfield, District Judge; Hon. Ben. Shurtleff; J. S. Follansbee, Sheriff; Charles Westmorland, J. D. Mix, and many others.
	<p>Decision.—Whereas, at the November term, A. D. 1862, of the District Court of the Ninth Judicial District, held in and for the County of Shasta, in this State, José M. Franco was tried and convicted of the crime of murder of the first degree, and sentenced to be hung on the 26th day of December, A. D. 1862;</p> <p>And whereas, Judge William P. Dangerfield, before whom the said José M. Franco was convicted, certifies to me "that had I been of the jury I could not have rendered a verdict of guilty of murder in the first degree, for the reason that the evidence did not convince me that he intended to take the life of Welsh when he commenced the fatal affray;"</p> <p>And whereas, a petition, signed by a majority of the trial jurors, and other citizens of Shasta County, has been presented to me, asking for a commutation of sentence, and stating that the evidence was such as to create a doubt as to the motive and intent of the unfortunate boy Franco (nineteen years of age) at the time of the collision between him and the deceased;</p> <p>Now, therefore, by virtue of the authority in me vested by the Constitution and Laws of the State, I hereby commute the sentence of the said José M. Franco from death to imprisonment in the State Prison for his natural life, and order the officers of the prison to receive him accordingly.</p>					

Number of Commutations of Sentence.....1.

NAMES OF INSANE CONVICTS SENT FROM STATE PRISON TO STATE INSANE ASYLUM

By Governor Leland Stanford, for the year 1862.

No. of Commitment.	Name.	Crime.	County.	Sentence.	Date of Order.	Remarks.
1972.....	John Mohr.....	Manslaughter.....	Contra Costa.....	5 years.....	April 8, 1862.....	Returned to Prison.
2313.....	B. L. Morgan.....	Assault with deadly weapon.....	S. Bernardino.....	2 years.....	April 8, 1862.....	Returned to Prison.
2383.....	Dennis Collins.....	Grand Larceny.....	Sacramento.....	3 years.....	July 14, 1862.....	Returned to Prison.
2345.....	Francisco de Grey.....	Manslaughter.....	Tuolumne.....	3 years.....	July 14, 1862.....	Returned to Prison.
2313.....	B. L. Morgan.....	Assault with deadly weapon.....	S. Bernardino.....	2 years.....	July 14, 1862.....	Returned to Prison.
2376.....	R. H. Dodge.....	Grand Larceny.....	Sacramento.....	2 years.....	November 14, 1862.....	Returned to Prison.
1634.....	Charles Smith.....	Burglary.....	Butte.....	10 years.....	November 14, 1862.....	Returned to Prison.
2160.....	William Price.....	Murder.....	Sacramento.....	Life.....	November 14, 1862.....	

Number of Convicts in State Insane Asylum.....2.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
January 7th, 1863. }

MR. PRESIDENT :—The Assembly yesterday adopted Assembly concurrent resolution No. 3, concerning Fireman for the two Houses, in which they ask the concurrence of the Senate ;

Also, unanimously adopted resolutions of respect to the memory of the late Colonel Roderick Matheson, and I am instructed to ask the Senate to consider and adopt the same, which are herewith transmitted.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly concurrent resolution No. 3, above reported, was laid on table.

The resolutions above reported relative to the memory of the late Colonel Roderick Matheson, were unanimously adopted.

At three o'clock, P.M., on motion of Mr. Powers, the Senate adjourned until eleven o'clock, A.M., to-morrow.

J. F. CHELLIS,
President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, January 8th, 1863. }

Senate met pursuant to adjournment

President in the Chair.

Prayer by Rev. Jesse T. Peck.

Roll called.

Absent—Messrs Abell, Baker, and Crane.

Mr. Abell was granted three days leave of absence.

Journal of yesterday read and approved.

The following communication was read :

To the Honorable the Senate of the State of California :

The Central Pacific Railroad Company of California, whose road forms an important portion of the great Pacific Railroad across the American continent, intent to inaugurate the commencement of the work on their road with appropriate ceremonies, on the eighth day of January, at eleven o'clock, A.M., at the corner of K and Front streets, in this city, and your honorable body is cordially invited to participate in the ceremonies.

JAMES BAILEY,
Secretary.

The President announced the following additional Standing Committees :

ON SWAMP AND OVERFLOWED LANDS.

Messrs. Harvey, Powers, Parks, Chamberlain, and Baker.

ON PUBLIC LANDS.

Messrs. Holden, Porter of Contra Costa, Baker, Doll, and Whiting.

ON MILITARY AFFAIRS.

Messrs. Pacheco, Abell, Booth, Cunningham, Birdseye, and Shurtleff

The President announced the following appointments :

Bartholomew Finnerty	Porter.
J. W. Scott.	Porter.
E. Weeks	Post Office Page.
Barnard Stinman.....	Paper Folder.
Grove Hunt.....	Page.
James Crandall	Page.

Mr. Gaskill moved to suspend the rules for the purpose of introducing a resolution.

Mr. Powers moved to adjourn.

Lost.

The motion of Mr. Gaskill was lost.

At forty minutes past eleven o'clock, A.M., on motion of Mr. Gaskill, the Senate adjourned in honor of the anniversary of the battle of New Orleans, and to participate in the ceremonies of inaugurating the commencement of the Central Pacific Railroad.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, January 9th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Prayer by Rev. Mr. Benton.

Roll called.

Absent on leave—Mr Abell.

The following additional Standing Committees were announced by the President :

ON FINANCE.

Messrs. Perkins, Doll, Birdseye, Cunningham, and Gaskill.

ON EDUCATION.

Messrs. Abell, Booth, Birdseye, Chamberlain, and Porter of Contra Costa.

ON CLAIMS.

Messrs. Oulton, Parks, Burnell, Abell, and Saxton.

ON FEDERAL RELATIONS.

Messrs. Porter of Santa Cruz, Shannon, Shurtleff, Gaskill, and Burnell.

ON ENGROSSMENT.

Messrs. Burnell, Powers, McNabb, Pacheco, Saxton, and Kutz.

ON ENROLMENT.

Messrs. Higgins, Oulton, Holden, Porter of Contra Costa, Wallis, and Clark.

The Governor's Annual Message was referred to the Joint Committee on Printing.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Perkins, for an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times.

On its reference to the Judiciary Committee, the ayes and noes were demanded, by Messrs. Perkins, Oulton, and Burnell, and taken, with the following result :

AYES—Messrs. Anderson, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Oulton, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Shurtleff, Van Dyke, and Wallis—27.

NOES—Messrs. Baker, Gaskill, Harriman, Lewis, Perkins, Powers, Quint, Shannon, Vineyard, and Whiting—10.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Porter of Contra Costa, for an Act to amend an Act to provide for the appointment of a Measurer of Wood in and for the City of San Francisco, approved April twenty-eighth, eighteen hundred and sixty-two.

Read first and second times, and referred to the San Francisco Delegation.

By Mr. Chamberlain, for an Act amendatory of and supplemental to an Act concerning Attorneys and Counsellors at Law, passed February nineteenth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Holden, for an Act to provide for purchasing postage stamps and express envelopes for members and officers of the Legislature at its fourteenth session.

Read first and second times.

Mr. Gaskill moved to suspend the rules and consider the bill.

Mr. Harvey moved to refer to Swamp Land Committee.

Lost.

On the question of suspending the rules, the ayes and noes were demanded, by Messrs. Chamberlain, Burnell, and Whiting, and the motion was lost by the following vote:

AYES—Messrs. Anderson, Baker, Bogart, Burnell, Crane, Gaskill, Harriman, Hathaway, Higby, Higgins, Holden, Lewis, McCullough, McNabb, Oulton, Pacheco, Parks, Perkins, Powers, Quint, Shannon, Van Dyke, and Wallis—23.

NOES—Messrs. Birdseye, Booth, Chamberlain, Clark, Cunningham, Doll, Harvey, Kutz, Nixon, Porter of Contra Costa, Saxton, Shurtleff, Vineyard, and Whiting—14.

So the bill went to the general file.

By Mr. Oulton, for an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Finance Committee.

Mr. Shannon asked leave to introduce a bill without notice.

Mr. Porter of Contra Costa objected.

Mr. Oulton moved to suspend the Twelfth Rule, requiring unanimous consent for the introduction of a bill without notice.

The Chair decided that the Rule could be suspended by a two thirds vote.

Mr. Higby appealed.

On the question: "Shall the decision of the Chair stand as the judgment of the Senate?" the ayes and noes were demanded, by Messrs. Burnell, Powers, and Higby, and the appeal was sustained, by the following vote:

• AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Doll, Nixon, Oulton, Perkins, Powers, Quint, Shannon, and Van Dyke—12.

NOES—Messrs. Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Harriman, Hathaway, Higby, Higgins, Kutz, Lewis, McCullough, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Shurtleff, Wallis, and Whiting—21.

By Mr. Shurtleff, for an Act to divide the State into Congressional Districts, and to fix the time of electing Representatives to Congress.

Read first time.

Mr. Oulton introduced a bill for an Act for the relief of Manassch Sleeper, Tax Collector of Siskiyou County.

Read first time.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Crane, for an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, for an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty;

Also, for an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty;

Also, for an Act amendatory of and supplementary to an Act entitled an Act concerning offices, passed April twenty-eighth, eighteen hundred and fifty-one;

Also, for an Act supplementary to and amendatory of an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, for an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject.

By Mr. Doll, for an Act to establish a Board of Nautical Education for the port of San Francisco.

By Mr. Higgins, for an Act authorizing the County of Placer to appropriate money from its General Fund for the support of an agricultural association within the county.

By Mr. Chamberlain, for an Act relative to Public Lands in California;

Also, for an Act supplementary to an Act to regulate Common Schools, approved May third, eighteen hundred and fifty-five, and all Acts amendatory thereof and supplementary thereto.

By Mr. McCullough, for an Act adopting the amendments to section twenty-six of Article Four of the Constitution as proposed by the Legislature at its thirteenth session, commencing on the sixth day of January, eighteen hundred and sixty-two, and adopted by the Assembly April twenty-fifth, eighteen hundred and sixty-two, and by the Senate May second, eighteen hundred and sixty-two.

By Mr. Gaskill, for an Act to appropriate certain funds;

Also, for an Act to amend an Act entitled an Act amendatory and supplemental of an Act to prescribe the duties and to provide for the compensation of the several county officers of the County of Butte, approved May third, eighteen hundred and sixty-one; approved April fourteenth, eighteen hundred and sixty-two;

Also, for an Act making amendments to the Constitution.

By Mr. Holden, for an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May sixteenth, eighteen hundred and sixty-one, so far as the same relates to the county of Mendocino.

RESOLUTIONS.

Mr. Parks offered the following resolution:

Resolved, That Daniel O'Connor be and he is hereby appointed a Porter to take charge of the rooms of the Committees on Judiciary, Claims, and Finance, at the same per diem as allowed by law to other Porters of the Senate.

Mr. Perkins moved to lay on the table.

Lost.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Higby, and taken, with the following result :

AYES—Messrs. Anderson, Birdseye, Bogart, Booth, Burnell, Cunningham, Doll, Harvey, Hathaway, Higgins, Holden, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Quint, Saxton, Shannon, and Shurtleff—20.

NOES—Messrs. Cavis, Chamberlain, Clark, Gaskill, Harriman, Higby, Kutz, Lewis, McCullough, McNabb, Perkins, Porter of Santa Cruz, Powers, Van Dyke, Wallis, and Whiting—16.

Mr. Oulton moved to take from the table Assembly concurrent resolution No. 3, concerning Fireman.

Carried.

Mr. Oulton offered a substitute.

Adopted.

Mr. Van Dyke offered the following resolution :

Resolved, That the Sergeant-at-Arms be authorized to procure suitable rooms, not to exceed three, for the Standing Committees of the Senate, under the direction of the President.

Adopted.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

Message relating to the State Treasurer, (for which, see Appendix.)

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 7th, 1863. }

To the Honorable the Senate of California :

In accordance with section four of an Act in relation to the Militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two, I herewith transmit to your honorable body a list of general officers commissioned by me under said Act, and respectfully ask their confirmation.

LELAND STANFORD, Governor.

BRIGADIER-GENERALS.

A. M. Dobbie, Third Brigade, C. M.
James Collins, Fourth Brigade, C. M.
Thomas J. Butler, Fifth Brigade, C. M.
James Hanna, Sixth Brigade, C. M.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 9th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have appointed David B. Arrowsmith, Guager of wines and liquors, to reside in the City of San Francisco, and respectfully ask his confirmation.

LELAND STANFORD, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 9th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have this day appointed Seth H. Wetherbee, Superintendent of Immigration for the Port of San Francisco, for the full term of two years, and respectfully ask the concurrence of the Senate therein.

LELAND STANFORD, Governor.

The consideration of the messages relative to appointments was made the special order for to-morrow at twelve o'clock, M.

The message relating to the State Treasurer was referred to the Finance Committee, and the usual number of copies was ordered printed.

At thirty minutes past one o'clock, P. M., on motion of Mr. Shannon, the Senate adjourned until eleven o'clock, A. M., to-morrow.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, January 10th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Journal of yesterday read and approved.

The President announced the following additional Standing Committees:

ON PUBLIC PRINTING.

Messrs. McNabb, Lewis, Higby, Higgins, and Powers.

JOINT COMMITTEE ON PRINTING.

Messrs. Parks, Harriman, and McNabb.

ON STATE LIBRARY.

Messrs. Booth, Perkins, and Harriman.

ON PUBLIC EXPENDITURES.

Messrs. Cunningham, Porter of Contra Costa, Whiting, Hathaway, and Pacheco.

ON COUNTY BOUNDARIES.

Messrs. Lewis, Doll, Quint, Holden, and Anderson.

A communication was received from the Sergeant-at Arms relative to stationery.

Mr. Doll presented a petition from citizens of San Francisco relative to a Board of Nautical Education.

Read, and laid upon the table.

Mr. Shurtleff, Chairman of the Committee on Mileage, made the following report :

MR. PRESIDENT :—The Committee on Mileage report the following as the distances and the amounts to which the Lieutenant-Governor and Senators are entitled for mileage at the present session :

Names.	Miles.	Amounts.
Chellis.....	510	\$102 00
Abell.....	234	46 80
Anderson.....	220	44 00
Baker.....	500	100 00
Birdseye.....	130	26 00
Bogart.....	1,500	300 00
Burnell.....	90	18 00
Cavis.....	230	46 00
Chamberlain.....	120	24 00
Clark.....	234	46 80
Crane.....	260	52 00
Cunningham.....	100	20 00
Doll.....	290	58 00
Gaskill.....	210	42 00
Harriman.....	140	28 00
Harvey.....	100	20 00
Hathaway.....	234	46 80
Higby.....	120	24 00
Higgins.....	70	14 00
Holden.....	408	81 60
Kutz.....	154	30 80
Lewis.....	200	40 00
McCullough.....	290	58 00
McNabb.....	260	52 00
Oulton.....	700	140 00
Pacheco.....	670	134 00
Parks.....	132	26 40
Perkins.....	234	46 80
Porter of Contra Costa.....	220	44 00
Porter of Santa Cruz.....	502	100 40
Powers.....	220	44 00

Names.	Miles.	Amount.
Quint.....	230	\$46 00
Saxton.....	140	28 00
Shannon.....	274	54 80
Shurtleff.....	370	74 00
Van Dyke.....	780	156 00
Vineyard.....	1,100	220 00
Wallis.....	270	54 00
Whiting.....	234	46 80

SHURTLEFF, Chairman.

Senate bill No. 8, an Act for the relief of Manasseh Sleeper, Tax Collector of Siskiyou County—read second time and referred to the Committee on Claims.

Senate bill No. 9, an Act to divide the State into Congressional Districts, and to fix the time of electing Representatives to Congress—read second time and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Gaskill, for an Act to appropriate certain funds.

Read first and second times, and placed on file.

Also, for an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to prescribe the duties and to provide for the compensation of the several county officers of the County of Butte, approved May third, eighteen hundred and sixty-one, approved April fourteenth, eighteen hundred and sixty-two.

Read first and second times, and placed on file.

Also, for amendments to the Constitution.

Read first time.

By Mr. Crane, for an Act amendatory of and supplementary to an Act concerning officers, passed April twenty-eighth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act supplementary to and amendatory of an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act concerning the

office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Doll, for an Act to establish a Board of Nautical Education for the port of San Francisco.

Read first and second times, and referred, with the petition on the same subject, to the Committee on Commerce and Navigation.

By Mr. Holden, for an Act to repeal an Act entitled an Act to organize townships and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino.

Read first and second times, and placed on file.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Oulton, for an Act concerning officers.

By Mr. Chamberlain, for an Act fixing the salary of the County Judge of San Joaquin County.

By Mr. Perkins, for an Act to change the name of John Schlageter.

By Mr. Highby, for an Act fixing the time of holding the Court of Sessions, County Court, and Probate Court, of Calaveras County;

Also, for an Act to legalize the assessments of taxes made upon the taxable property in the County of Calaveras.

By Mr. Anderson, for an Act to fund the debt of Sierra County.

RESOLUTIONS.

Mr. Perkins offered a concurrent resolution relative to employing James Pennie as Porter for rear of State House.

Adopted.

Mr. Harvey offered a concurrent resolution instructing our Senators and Representatives in Congress to procure the passage of a law defining the duties of United States Collectors, etc.

Read first and second times and referred to Committee on Federal Relations.

Mr. Oulton offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and is hereby directed to furnish members, officers, and Clerks, of the Senate, and Reporters of the public Press who have seats assigned them in the Senate, with such stationery and other writing material as they may require.

Mr. Gaskill offered the following resolution:

Resolved, That the Sergeant-at-Arms be allowed a Clerk, with the per diem of six dollars.

Mr. Parks moved to amend by inserting the name of E. W. Corbett.

Mr. McNabb offered the following as a substitute:

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint Silas Caulkins as his Clerk, at a per diem of six dollars.

Pending the consideration of the above, the hour for the special order, the confirmation of certain appointments of the Governor, arrived.

SPECIAL ORDER.

On motion of Mr. Hathaway, the Senate went into Executive Session.

Upon confirming the appointment of A. W. Dobbie, as Brigadier-General third Brigade, C. M., the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—35.

NOES—None.

Upon the confirmation of James Collins, as Brigadier-General Fourth Brigade, C. M., the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—35.

NOES—None.

Upon the confirmation of Thomas J. Butler, as Brigadier-General Fifth Brigade, C. M., the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—37.

NOES—None.

Upon the confirmation of James Hanna, as Brigadier-General Sixth Brigade, C. M., the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—36.

NOES—None.

Upon the confirmation of Seth H. Wetherbee, as Superintendent of

Immigration for the Port of San Francisco, the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—37.

NOES—None.

Upon the confirmation of David B. Arrowsmith, as Guager of Wines and Liquors, to reside in the City and County of San Francisco, the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—37.

NOES—None.

GENERAL FILE.

Senate bill No. 5, an Act to provide for the purchase of postage stamps and Express envelopes for members of the Legislature and officers during the fourteenth session of the Legislature—considered as in Committee of the Whole, amended, amendments concurred in in Senate, rules suspended, bill considered engrossed, read third time, and passed.

The resolution heretofore offered by Mr. Gaskill, empowering the Sergeant-at-Arms to employ a Clerk, was taken up.

The question being upon the amendment offered by Mr. Parks, inserting the name of E. W. Corbett, the ayes and noes were demanded, by Messrs. Crane, Powers, and McNabb, and taken, with the following result :

AYES—Messrs. Burnell, Chamberlain, Doll, Harvey, Parks, and Saxton—6.

NOES—Messrs. Anderson, Baker, Birdseye, Booth, Cavis, Clark, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Pacheco, Porter of Santa Cruz, Powers, Shannon, Van Dyke, Vineyard, and Wallis—24.

Mr. Perkins paired with Mr. Shurtleff.

Adopted.

Mr. Oulton offered the following resolution :

Resolved, That the claims of temporary officers, for services during the organization of the Senate, be and are hereby referred to the Committee on Contingent Expenses.

Adopted.

Mr. Van Dyke offered the following resolution :

Resolved, That the Judiciary Committee be authorized to employ a Clerk at the per diem compensation allowed by law.

Mr. Doll moved to amend by inserting after the word "Judiciary" the words "Finance, and Claims, each."

Amendment concurred in.

Adopted.

Mr. Parks offered a concurrent resolution relative to certain lands donated to this State.

Read first and second times, and referred to Committee on Public Lands.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

Mr. Bogart gave notice of a bill for an Act to provide for the retention of hides of cattle killed or slaughtered in San Diego County.

Mr. Pacheco gave notice of a bill for an Act authorizing the construction of a wagon road over the Coast Range of Mountains in San Luis Obispo.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,

January 10th, 1863. }

MR. PRESIDENT :—I am instructed to inform the Senate that Messrs. Banks, Barstow, Ames, Warwick, and Sanderson, the Committee of the Assembly on Rules for the government of the House, have been directed to act with a similar Committee from the Senate on Joint Rules for the Senate and Assembly.

The Assembly this day concurred in the Senate substitute for Assembly concurrent resolution No. 3, concerning the appointment of a Fireman for the two Houses ;

Also, the Assembly this day amended and adopted Senate concurrent resolution No. 1, indorsing the President's Proclamation of Freedom, and ask the Senate to concur in such amendments.

W. N. SLOCUM,
Assistant Clerk.

The Senate concurred in Assembly amendments to Senate concurrent resolution No. 1, above reported.

At two o'clock P. M., on motion of Mr. Pacheco, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Monday, January 12th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Prayer by Rev. Mr. Hill.

Roll called.

Quorum present.

Leave of absence for one day was granted to Mr. Birdseye.

Journal of Saturday last read and approved.

The President announced the following additional Standing Committees :

ON PUBLIC BUILDINGS.

Messrs. Nixon, Porter of Contra Costa, Shannon, Powers, Harriman, Porter of Santa Cruz, and Hathaway.

ON PUBLIC MORALS.

Messrs. Parks, Clark, Cunningham, Crane, and Nixon.

ON STATE HOSPITALS.

Messrs. Hathaway, Shurtleff, Chamberlain, Gaskill, and McNabb.

REPORTS.

Mr. Burnell, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined and found correctly engrossed, Senate bill No. 5, an Act to provide for the purchase of postage stamps and express envelopes for the members and officers of the Legislature at its fourteenth session.

BURNELL, Chairman.

Mr. Parks, from the Committee on Rules of the Senate, made the following report :

MR. PRESIDENT :—The Committee on Rules of the Senate beg leave to report the following Rules for the government of the Senate.

WM. H. PARKS, Chairman.

STANDING RULES OF THE SENATE.

I.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

II.

After the reading and approving of the Journal, the order of business shall be as follows :

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from Assembly.
6. Second Reading and Commitment of Bills.
7. Introduction and First Reading of Bills.
8. Motions, Resolutions, and Notices.
9. Business on the General File, and Third Reading of Bills.
10. Unfinished Business of the Preceding Day.
11. Special Orders of the Day.
12. Reports from the Committees on Enrolment and on Engrossment shall at all times be in order.

III.

Messages from the Governor, State Officers, and from the Assembly, may be considered at any time.

IV.

All bills after the second reading, (if the same be not committed, but if committed, then upon being reported,) shall be placed upon a general file, and shall be taken up for consideration and passage in the order of their being placed on file.

V.

All questions relating to the priority of business shall be decided without debate.

VI.

When the reading of a paper is called for, (except petitions,) and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate.

VII.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence, in the following order :

1. To adjourn.
2. For a Call of the Senate.
3. To Lay on the Table.
4. To Postpone to a Day certain.
5. To Commit.
6. To Amend.
7. To Postpone Indefinitely.

VIII.

The President shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

IX.

Every Senator, when he speaks, shall, standing in his place, address the President; and when he has finished he shall sit down. No member shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor, (except for explanation,) to the exclusion of another who has not spoken.

X.

When two or more members rise at once, the President shall name the member who is to speak first.

XI.

No motion shall be debated until the same be seconded, and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any member, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

XII.

If objection be made to the introduction of a bill, except on report of a committee, it shall lie over one day, unless the Senate, by a two-thirds vote, direct otherwise.

XIII.

Every bill shall receive three readings previous to its being passed. The President shall give notice at each, whether it be the first, second, or third, which reading shall be on different days, unless the Senate, by a two-thirds vote, direct otherwise; *provided*, that upon the first reading of a bill, if no objection be made, it may, without delay, be read a second time by title, and be committed or placed on the general file. No bill shall be amended or committed until twice read.

XIV.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the members shall be taken alphabetically. When the ayes and noes shall be taken upon any question, in pursuance of this rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

XV.

All committees of the Senate, and all joint committees on the part thereof, shall be appointed by the President, or, in his absence, by the President, *pro tem*, or, in the absence of both, by the acting President.

XVI.

The Rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XVII.

When a member shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any member. If a member be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XVIII.

No member shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made, as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour has arrived to which the Senate stood adjourned. The President, or acting President, of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or any other person, to compel the attendance of members absent without leave. Any Senator who shall refuse to obey such process, unless sick and unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent member, and for this purpose he may command the force of the county, or of any county in the State.

XIX.

When a question has been once put and decided, it shall be in order for any member voting in the majority to move for the reconsideration thereof, and such motion shall take precedence of all other questions, except a motion to adjourn; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor after the usual message shall have been sent from the Senate announcing its decision; nor shall any motion for a reconsideration of a vote making a final disposition of any

bill or resolution be made on the day on which the same was taken; nor shall any question be reconsidered more than once. No notice of intention to move a reconsideration shall be given on the day next preceding the last day of the session.

XX.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXI.

The following Standing Committees shall be appointed:

1. Committee on Claims, to consist of five members.
2. Committee on Finance, to consist of five members.
3. Committee on Judiciary, to consist of seven members.
4. Committee on Elections, to consist of five members.
5. Committee on Public Lands, to consist of five members.
6. Committee on Commerce and Navigation, to consist of five members.
7. Committee on Federal Relations, to consist of five members.
8. Committee on State Hospitals, to consist of five members.
9. Committee on Mines and Mining Interests, to consist of seven members.
10. Committee on State Prison and Public Buildings, to consist of seven members.
11. Committee on Education, to consist of five members.
12. Committee on State Library, to consist of three members.
13. Committee on Mileage, to consist of three members.
14. Committee on Counties and County Boundaries, to consist of five members.
15. Committee on Corporations, to consist of five members.
16. Committee on Agriculture, to consist of five members.
17. Committee on Public Printing, to consist of five members.
18. Committee on Roads and Highways, to consist of three members.
19. Committee on Contingent Expenses of Senate, to consist of five members.
20. Committee on Military Affairs, to consist of five members.
21. Committee on Public Expenditures, to consist of five members.
22. Committee on Public Morals, to consist of five members.
23. Committee on Engrossed Bills, to consist of six members.
24. Committee on Enrolled Bills, to consist of six members.
25. Committee on Internal Improvements, to consist of five members.
26. Committee on Swamp and Overflowed Lands, to consist of five members.

XXII.

When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be required to decide any question for amendments, or extending to the merits, being short of the final question.

XXIII.

On a motion made and seconded, to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the members, Secretaries, Sergeant-at-Arms, and Doorkeeper, of the Senate, to withdraw, and during the discussion of said motion, the doors shall remain closed, and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined, by order of the Senate.

XXIV.

The Committee on Engrossed Bills shall examine all bills, amendments, and resolutions, before they go out of the possession of the Senate, and make report.

XXV.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order :

1. The Committee of the whole Senate.
2. A Standing Committee.
3. A Select Committee.

XXVI.

In all cases not provided for by these Rules, parliamentary practice, as laid down in Jefferson's Manual, is hereby adopted.

XXVII.

The time of meeting of the Senate shall be eleven o'clock, A. M., (Sunday excepted,) and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting.

XXVIII.

The rooms, passages, and buildings, set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, bills, etc., of the Senate. He shall see that all officers of the Senate perform their respective duties. He shall have the power to appoint the necessary Pages and Porters of the Senate. Places may be assigned to Reporters by the President.

XXIX.

When any member is absent without the bar of the Senate, when his name is called, on the call of ayes and noes on any vote about to be taken, his vote shall not be received, unless unanimously agreed to by the members present, nor shall a member be counted on a division of a vote, who is absent without the bar of the Senate without leave.

XXX.

No rule shall be suspended without the concurrence of two thirds of the members present, and no additional rule, or amendment of a rule, shall be made without giving at least one day's notice, and the concurrence of two thirds of the members present; *provided*, that no rule requiring unanimous consent shall be suspended by operation of this rule.

XXXI.

All bills, on a second reading, shall be considered by the Senate in the same manner as if the Senate was in Committee of the Whole, before they shall be taken up and proceeded on by the Senate, agreeably to the Standing Rules, unless otherwise ordered.

XXXII.

The final question, upon the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall it be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of any such bill, to move its commitment under special instructions.

XXXIII.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXIV.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper, presented to the Senate, shall also be inserted in the Journal.

XXXV.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are calling, or while the ballots are counting.

XXXVI.

In case of a disturbance, or disorderly conduct in the lobbies, the President, (or Chairman of the Committee of the whole Senate,) shall have power to order the same to be cleared.

XXXVII.

The previous question shall be in this form: "Shall the main question now be put?" It shall only be admitted when demanded by a majority of the Senators present, and its effect shall be to put an end to all debate

and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to the decision of the main question.

XXXVIII.

On a motion for the previous question, and under the previous question, there shall be no debate. And all incidental questions of order arising after a motion is made for the previous question. (or while acting under the previous question,) shall be decided, whether on appeal or otherwise, without debate.

XXXIX.

A President pro tem shall be elected, who shall, in the absence of the President, take the Chair, and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem shall vote only as any other member of the Senate. When the Senate is equally divided, the Secretary shall take the decision of the President.

XL.

A Sergeant-at-Arms shall be appointed, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate, from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and for travelling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his pay per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of members, to prepare checks, and if required so to do, to draw the money on such checks for the members, (the same being previously signed by the President, and indorsed by the member or person to whom the check is made,) and pay over the same to the member or person entitled thereto.

XLI.

No bill or other matter shall be printed without first being specially ordered by the Senate, and the Sergeant-at-Arms shall certify to the reception by the Senate of all such printed matter, and the quantity, before payment shall be made, or bills audited; and maps, accompanying documents, shall not be printed under the general order to print, without the special direction of the Senate.

XLII.

Two hundred and forty (240) copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLIII.

In filling up blanks, the least sum or number, and the shortest time, shall be first put.

XLIV.

It shall be the duty of the Doorkeeper to prohibit all persons, except Senators, members of the Assembly, officers of the two Houses, and such Reporters as have had seats assigned them by the President, from coming within the bar of the Senate, unless invited by the Senate through the President, and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLV

When, by order of the Senate, any Senate bill shall have been considered engrossed and passed, it shall be the duty of the Committee on Engrossed Bills to cause the same to be correctly engrossed and reported to the Senate, the engrossed copy to be reported to the Assembly, and the original retained by the Senate.

XLVI.

When nominations shall be sent by the Governor to the Senate for their confirmation, a future day shall be assigned for their consideration, unless the Senate shall unanimously direct otherwise.

XLVII.

The General File shall be the special order for each day, at twelve o'clock, M. It shall be considered at least two hours, if the Senate remain so long in session, as long as there is any business on the file, and this order shall take precedence of all other orders.

XLVIII.

No committee (standing or special) shall elect a Clerk or Segeant-at-Arms without first obtaining the consent of the Senate.

XLIX.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

I.

The Secretary shall post, each morning, in a conspicuous place, a list of all bills upon the General File, giving their order, and also setting forth their number and so much of their title as necessary to enable Senators to understand their general purport.

LI.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

LII.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted, shall take place of the original bill or resolution, and shall be open to amendment.

Adopted.

Mr. Powers, from the Committee on Contingent Expenses, made the following report :

Mr. PRESIDENT:—Your Committee on Contingent Expenses have examined the following claims of temporary officers during the organization, and recommend their payment out of the Contingent Fund, as follows :

Names and Time.	Amount.
Thomas Hill, Secretary, seven days, at \$8.....	\$56 00
R. K. Weston, Assistant Secretary, seven days, at \$8.....	56 00
C. E. Abbott, Minute Clerk, seven days, at \$8.....	56 00
E. W. Corbett, Sergeant-at-Arms, seven days, at \$8.....	56 00
Elias Howe, Assistant Sergeant-at-Arms, seven days, at \$6.....	42 00
L. B. Drew, Porter, seven days, at \$4.....	28 00
P. A. Duffy, Porter, seven days, at \$4..	28 00
D. Balch, Porter, seven days, at \$4.....	28 00
W. McCoy, Porter, seven days, at \$4.....	28 00
Frederick Stewart, Page, seven days, at \$3.....	21 00
Thomas Flint, Page, seven days, at \$3.....	21 00
William Bryant, Post Office Page, seven days, at \$3.....	21 00

POWERS, Chairman.

Adopted.

Senate bill No. 11, Amendments to the Constitution—read second time, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Van Dyke, for an Act concerning Courts of Justice and judicial officers.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Oulton, for an Act concerning officers.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Bogart, for an Act to provide for the retention of the hides of cattle killed or slaughtered in the County of San Diego.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Higby, for an Act to legalize the assessments made upon the taxable property in the County of Calaveras since the first Monday of March, A. D. eighteen hundred and sixty-two, and before the second Monday of January, A. D. eighteen hundred and sixty-three, for the year eighteen hundred and sixty-two.

Read first and second times, and placed on file.

Also, for an Act to amend an Act approved February nineteenth, eighteen hundred and fifty-seven, fixing the time of holding the several Courts authorized to be held by the County Judge of the County of Calaveras, and to change the manner of summoning a jury for the County Court of said county, approved April twenty-seventh, eighteen hundred and fifty-five.

Read first and second times, and placed on file.

By Mr. Chamberlain, for an Act in relation to public lands in California.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

Also, for an Act supplementary to an Act to regulate Common Schools, approved May third, eighteen hundred and fifty-five, and all Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Committee on Education.

Also, for an Act fixing the salary of County Judge of San Joaquin County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McCullough, for an Act to provide for the construction of a wagon and turnpike road in Mariposa County.

Read first and second times, and placed on file.

By Mr. Shannon, for an Act to appropriate money for the transportation of convicts to the State Prison.

Read first and second times, and referred to Committee on Finance.

By Mr. Whiting, for an Act concerning trade marks.

Read first and second times, and referred to Committee on Commerce and Navigation.

Mr. Doll offered the following resolution :

Resolved, That a committee of five be appointed to consider the expediency of, and, if deemed advisable, to introduce a bill fixing the salary of Supreme, District, and County Judges throughout the State.

Adopted.

Messrs. Doll, Booth, Higgins, Harvey, and Cunningham, were appointed such committee.

The following communication was read from the Sergeant-at-Arms :

To Governor Chellis, President of the Senate :

SIR:—Please inform me how many weekly newspapers are equivalent to one daily, according to the resolution adopted by your Honorable body?

Taking fifty cents per week as the basis for daily papers, in my judgment four would be the proper number.

Very respectfully,

GEO. I. LYTLE,
Sergeant-at-Arms.

On motion of Mr. Burnell, the number of weekly newspapers equal to one daily was fixed at five.

Mr. Harvey gave notice of a bill for an Act defining the boundary line between El Dorado and Placer Counties.

GENERAL FILE.

Senate bill No. 12, an Act to amend an Act entitled an Act amendatory of and supplemental to an Act to prescribe the duties and provide for the compensation of the several county officers of the County of Butte, approved May third, eighteen hundred and sixty-one, approved April fourteenth, eighteen hundred and sixty-two—referred to the Judiciary Committee.

Senate bill No. 10, an Act to appropriate certain funds—considered engrossed, read third time, and passed.

Senate bill No. 19, an Act to repeal an Act to organize townships and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteen, eighteen hundred and sixty-two, as far as the same relates to the County of Mendocino—referred to the Judiciary Committee.

At fifteen minutes past twelve o'clock, p. m., on motion of Mr. Burnell, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER, }
Tuesday, January 13th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Prayer by Rev. Mr. Urmy.

Roll called.

Quorum present.

Journal of yesterday read and approved.

The President announced the following additional Standing Committees:

ON CORPORATIONS.

Messrs. Whiting, Higgins, Harvey, Burnell, and Quint.

ON AGRICULTURE.

Messrs. Porter of Contra Costa, Pacheco, Parks, Chamberlain, and Doll.

ON ROADS AND HIGHWAYS.

Messrs. Cavis, Kutz, and Saxton.

REPORT.

Mr. Parks, from the Joint Committee on Printing, made the following report :

MR. PRESIDENT :—The Joint Committee on Printing, to whom was referred the Governor's Message, and accompanying documents, have given the subject their careful attention, and in view of the depleted condition of the Treasury, and the fact that the most important documents mentioned have been scattered throughout the State by the public press, do most respectfully report the following as the number of each to be printed :

Of the Governor's Annual Message, twenty-four hundred copies ; of the Report of the Secretary of State, four hundred and eighty copies ; of the Report of the Attorney-General, four hundred and eighty copies ; of the Reports of the Controller and Treasurer, four hundred and eighty copies, each ; of the Report of the Surveyor-General, nine hundred and sixty copies ; of the Report of the Directors and Resident Physician of the Insane Asylum, twelve hundred copies ; of the Report of the Trustees of the State Reform School, four hundred and eighty copies ; of the Report of the Superintendent of Public Instruction, twenty-four hundred copies ; of the report of the Trustees of the California Institution for the Education of the Indigent Deaf, Dumb, and Blind, two hundred and forty copies ; of the Report of Swamp Land Commissioners, two hundred and forty copies ; of the Report of the State Geologist, twenty-four hundred copies ; of the Report of the Adjutant-General, fourteen hundred and forty copies ; of the Report of the State Prison Directors, two hundred and forty copies ; of the Report of the State Capitol Commissioners, two hundred and forty copies ; and that the State Printer be directed to furnish the Adjutant-General with nine hundred and sixty copies of his Report ; the Trustees of the State Reform School, one hundred and twenty copies of their Report ; the Directors of the Insane Asylum, two hundred and forty copies of their Report ; the Superintendent of Public Instruction, one hundred and twenty copies of his Report ; and deliver the rest to the Sergeant-at-Arms of the two Houses, to be distributed pro rata among the members of this Legislature, as soon as printed.

W. H. PARKS,

On the part of the Senate Committee.

REDFIELD,

On the part of the Assembly Committee.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Van Dyke, for an Act dividing the State into Judicial Districts.

Read first and second times, the usual number of copies ordered printed, and referred to Judiciary Committee.

By Mr. Perkins, for an Act to change the name of John Schlageter.

Read first and second times, and placed on file.

By Mr. Shurtleff, for an Act to amend an Act, passed March twenty-fifth, eighteen hundred and sixty-two, entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McNabb, for an Act to legalize certain conveyances.

Read first and second times, and referred to the Judiciary Committee.

Mr. Anderson gave notice that, at an early day, he would introduce a bill to define the northern boundary line of Sierra County.

CONSIDERATION OF GOVERNOR'S MESSAGE.

On motion of Mr. Oulton, the Governor's Message was taken up and referred as follows:

That part of the Message relating to finances, was referred to the Finance Committee, with instructions to report a bill at an early day.

That part relating to the Attorney-General and Secretary of State, was referred to the Judiciary Committee.

That part relating to war bonds, was referred to the Committee on Claims.

That part relating to the Adjutant-General, California Indians, and Harbor Defences, was referred to the Committee on Military Affairs.

That part relating to charitable institutions, was referred to the Committee on Public Morals.

That part relating to the State Prison, State Reform School, and State Capitol, was referred to the Committee on Public Buildings.

That part relating to the Insane Asylum, was referred to the Committee on State Hospitals.

That part relating to the State Library, was referred to the Committee on the State Library.

That part relating to the State Normal School, and Schools and School Funds, was referred to the Committee on Education.

That part relating to the Surveyor-General, was referred to the Committee on Public Lands.

That part relating to Swamp Lands, was referred to the Committee on Swamp and Overflowed Lands.

That part relating to the Chinese, was referred to a Special Committee of Five. The President appointed, as said committee, Messrs. Oulton, Booth, McCullough, Higby, and Birdseye.

That part relating to Geology and the Mines, was referred to the Committee on Mines and Mining Interests.

That part relating to agriculture, was referred to the Committee on Agriculture.

That part relating to the Pacific railroad, was referred to the Committee on Internal Improvements.

That part relating to boundaries and boundary lines, was referred to a Special Committee of Five. The President appointed as said Committee, Messrs. Shannon, Higby, Harvey, Anderson, and Quint.

That part relating to Federal Relations, was referred to the Committee on Federal Relations.

Mr. Powers offered the following resolution:

Resolved. By the Senate, the Assembly concurring, that Horace Lovely be allowed seven days pay, for services as Fireman, at four dollars per day, payable one half out of the Contingent Fund of the Senate, and one half out of the Contingent Fund of the Assembly.

Adopted.

Mr. Perkins moved to reconsider the vote whereby that portion of the Governor's Message relating to the Chinese was referred to a special committee.

Lost.

GENERAL FILE.

Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa county, was taken up.

Mr. Crane moved that the bill be referred to the Judiciary Committee.

The question being on the reference of the bill, the ayes and noes were demanded, by Messrs. Crane, Gaskill, and Higby, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Clark, Crane, Gaskill, Harvey, Higby, Kutz, Lewis, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Shurtleff, Van Dyke, Wallis, and Whiting—17.

NOES—Messrs. Birdseye, Bogart, Booth, Burnell, Chamberlain, Cunningham, Doll, Holden, McCullough, McNabb, Oulton, Parks, Perkins, Powers, and Shannon—15.

So the bill was referred to the Judiciary Committee.

At fifteen minutes before two o'clock, p. m., on motion of Mr. Lewis, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Wednesday, January 14th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Prayer by Rev. Mr. Charlton.

Roll called.

Quorum present.

Journal of yesterday read and approved.

The President announced the following additional Standing Committees:

ON COMMERCE AND NAVIGATION.

Messrs. Clark, Booth, Perkins, Whiting, and Bogart.

ON INTERNAL IMPROVEMENTS.

Messrs. Burnell, Parks, Doll, Pacheco, and Harvey:

ON MINES AND MINING INTERESTS.

Messrs. Harriman, Saxton, Higgins, Oulton, McCullough, Vineyard, and Anderson.

REPORTS.

Mr. Higgins, from the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 1.

HIGGINS, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 10, entitled an Act to appropriate certain funds.

BURNELL, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 13th, 1863. }

MR. PRESIDENT:—The Assembly, on the twelfth instant, concurred in Senate concurrent resolution No. 4, relative to Porter for the rear of the State House;

Also, on the same day, the House adopted Assembly concurrent resolution No. 5, relative to the distribution of printed bills;

Also, on the same day, the House adopted Assembly concurrent resolution No. 6, concerning the appointment of a Joint Committee to investigate the matter of the payment of the State's quota of the Federal tax, and Messrs. Smith of Sierra, Ames, and Sutton, have been appointed such committee on the part of the House.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly concurrent resolution No. 5, above reported, was concurred in.

Assembly concurrent resolution No. 6, concerning the appointment of an investigating committee,

Mr. Gaskill moved to lay upon the table.

Upon which, the ayes and noes were demanded, by Messrs. Shannon, Quint, and Holden, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Burnell, Cavis, Clark, Craue, Cunningham, Gaskill, Harriman, Hathaway, Higgins, Kutz, Pacheco, Perkins, Wallis, and Whiting—19.

NOES—Messrs. Booth, Chamberlain, Doll, Harvey, Higby, Holden, McCullough, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Quint, Saxton, Shannon, Shurtleff, and Van Dyke—18.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey, for an Act to amend an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times, and referred to the El Dorado and Amador delegations.

By Mr. Holden, for an Act to amend section one hundred and ninety-eight of an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Abell, for an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their assigns, to lay down gas pipes in the City and County of San Francisco, approved May third, eighteen hundred and sixty-two.

Read first and second times, and referred to the San Francisco delegation.

RESOLUTIONS.

Mr. Powers offered the following resolution:

Resolved, That R. K. Weston be and he is hereby appointed Assistant Clerk at the desk, at the per diem allowed by law to Copying Clerks, to date from January eleventh, eighteen hundred and sixty-three.

Adopted.

Mr. Crane offered the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire and report whether, in their opinion, the whole or any portion of the amendments to the Constitution, as finally adopted by the people at the last election, are invalid in consequence of any discrepancy existing between the same as passed by the Legislature of eighteen hundred and sixty-one, and that of eighteen hundred and sixty-two, or on account of any error in the publication thereof.

Adopted.

Mr. McCullough offered the following resolution:

Resolved, That W. B. Farrell be and he is hereby appointed Night Watchman of the Senate, at a per diem of four dollars.

Indefinitely postponed.

GENERAL FILE.

Senate bill No. 25, an Act to amend an Act fixing the time of holding the Courts in Calaveras County—referred to Calaveras delegation.

Senate bill No. 24, an Act to legalize the assessment roll of Calaveras County for the year eighteen hundred and sixty-two—referred to Calaveras delegation.

Senate bill No. 33, an Act to change the name of John Schlageter—considered as in Committee of the Whole, rules suspended, bill considered engrossed, read third time, and passed.

At twelve o'clock, M., on motion of Mr. Crane, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Thursday, January 15th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Prayer by Rev. Mr. Phelps.

Roll called.

Quorum present.

Journal of yesterday read and approved.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,

January 14th, 1863. }

MR. PRESIDENT:—The Assembly yesterday passed Senate bill No. 5, an Act to provide for the purchase of postage stamps and Express envelopes for members and officers of the Legislature at its fourteenth session.

Also, the Assembly concurred in Senate concurrent resolution No. 6, allowing Horace Lovely payment for services as Fireman.

W. N. SLOCUM,

Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wallis, for an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-three, and all other Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act to regulate proceedings in civil cases

in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

Mr. Shannon moved to take from the table Assembly concurrent resolution No. 6, relative to appointing a Joint Committee to investigate the matter of the payment of the State's quota of the Federal tax.

Carried.

Resolution amended and adopted.

Mr. Doll offered the following resolution :

Resolved. That the Secretary of State be authorized to deliver to the Committee on Claims of the Senate the papers relating to the claims of H. Clay Stockton.

Adopted.

Mr. Pacheco gave notice of a bill for an Act to fund the debt of San Luis Obispo County.

The following message was received from the Assembly :

ASSEMBLY CHAMBER, }
January 15th, 1863. }

Mr. PRESIDENT :—The Assembly this day passed Assembly bill No. 15, an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County.

W. N. SLOCUM,
Assistant Clerk.

Assembly bill No. 15, above reported, read first and second times, and referred to the Tehama delegation.

Mr. Higby, from the Calaveras delegation, reported back Senate bill No. 24, [25] an Act to legalize the assessment in the County of Calaveras, and recommended the passage of the bill with amendments to title ;

Also, Senate bill No. 24 an Act to amend an Act fixing the time for holding Courts in Calaveras County, and recommended its passage.

Senate bill No. 25, above reported, considered as in Committee of the Whole, rules suspended, bill considered engrossed, read third time, and passed, and title amended.

Senate bill No. 24, above reported, considered as in Committee of the Whole, rules suspended, bill considered engrossed, read third time, and passed.

Mr. Holden offered the following resolution :

Resolved. That the Controller of State be requested to report to the Senate the amount of money received into the State Treasury belonging to the Seminary Fund, and what amount, if any, has been invested in State bonds, and placed to the credit of said Fund, from the passage of the Act creating said Fund, up to this date.

Adopted.

At half past twelve o'clock, p. m., on motion of Mr. Holden, the Senate adjourned.

A. M. CRANE,
President pro tem of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Friday, January 16th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Cohen.

Journal of yesterday read and approved.

M. D. Boruck, Clerk of the Committee on Claims, and R. K. Weston, Assistant Clerk at the desk, came forward and took the oath of office.

Mr. Doll, of the Tehama delegation, made the following report:

MR. PRESIDENT:—The delegation from Tehama, to whom was referred Assembly bill No. 15, entitled an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, have had the same under consideration, and beg leave to report the same back without amendment, and recommend its passage.

DOLL, for delegation.

Mr. Chamberlain gave notice of a bill for an Act to regulate fees of office in the County of San Joaquin.

Mr. Wallis introduced a bill for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 15, an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, was taken up, considered in Committee of the Whole, reported and recommended, read third time, and passed.

On motion of Mr. Shannon, Dr. Pugh, late President of the Council of Nevada Territory, was invited to a seat within the bar of the Senate.

At forty minutes past eleven o'clock, A. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Saturday, January 17th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hill.

Journal of yesterday read and approved.

Mr. Holden introduced a bill for an Act supplemental to an Act entitled an Act to provide for the funding of the indebtedness of the county of Mendocino, approved April nineteenth, eighteen hundred and sixty-two.

Read first and second times, and placed on file.

Also, concurrent resolutions relative to change of boundaries of Land Districts.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
January 16th, 1863. }

Mr. PRESIDENT:—The Assembly this day refused to concur in the Senate amendments to Assembly concurrent resolution No. 6, concerning the appointment of a Committee to investigate the matter of the State's quota of the Federal tax, and ask the Senate to recede from such amendments;

Also, this day passed Assembly bill No. 20, an Act to repeal an Act concerning salaries and fees of office in Monterey County;

Also, passed, with amendments of title, Senate bill No. 10, an Act to appropriate certain funds.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
January 17th, 1863. }

Mr. PRESIDENT:—The Assembly yesterday passed Assembly bill No. 21, an Act for the payment of expenses incurred in the execution of certain writs of restitution in the County of Sonoma, in this State;

Also, this day, passed Assembly bill No. 8, an Act to transfer certain funds.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

On motion of Mr. Van Dyke, the Senate receded from its amendments to Assembly concurrent resolution No. 6, above reported.

The Senate concurred in Assembly amendments to Senate bill No. 10, above reported.

Senate bill No. 20, above reported, read first and second times, and referred to Judiciary Committee.

Assembly bill No. 21, above reported, read first and second times, and referred to Committee on Claims.

Assembly bill No. 8, above reported, read first and second times.

Mr. Chamberlain moved to refer to Committee on Swamp and Overflowed Lands.

Lost.

Mr. Doll moved to refer to Finance Committee.

Lost.

The rules were suspended, bill considered as in Committee of the Whole, reported without amendment, and read third time.

Upon its passage, the ayes and noes were demanded, by Messrs. Doll, Burnell, and Chamberlain, and taken, with the following result :

AYES—Messrs. Abell, Baker, Burnell, Cavis, Crane, Gaskill, Harriman, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Oulton, Parks, Perkins, Porter of Santa Cruz, Shannon, Van Dyke, Wallis, and Whiting—21.

NOES—Messrs. Booth, Chamberlain, Cunningham, Doll, Harvey, Higby, Nixon, Porter of Contra Costa, Powers, and Shurtleff—10.

Messrs. Porter of Santa Cruz, Harriman, and Burnell, were appointed a committee on the part of the Senate, in accordance with Assembly concurrent resolution No. 6.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 16th, 1863. }

To the Honorable the Senate of California :

I herewith transmit to your honorable body the report of Hon. W. H. Parks, who was appointed a Committee on the part of the Legislature to visit the City of Washington, and to confer with the Secretary of the Interior, or with such persons as he may appoint, for the final settlement of all questions relating to and the ownership of all lands claimed by the State under the provisions of the several Acts of Congress making donations of land to this State ;

Also, the annual report of the Trustees of the State Library ;

Also, the annual report of the Trustees of the State Reform School.

There being but one copy of each of the above reports, you will please transmit the same to the honorable Assembly.

I have to inform your honorable body that a vacancy at present exists in the Board of Trustees of the State Library, created by the resignation of the Hon. John R. McConnell, which vacancy is required by law to be filled by the Legislature on joint ballot.

LELAND STANFORD, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGE.

The above reported message was taken up, and that part relating to Swamp and Overflowed Lands was referred to the Committee on Swamp and Overflowed Lands, and usual number of copies ordered printed.

That part relating to the State Reform School was referred to the Committee on Public Buildings.

That part relating to the State Library was referred to the Committee on State Library.

That part relating to the vacancy in the Board of Trustees of the State Library was, on motion of Mr. Burnell, laid on the table.

Mr. Burnell, from the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 24, an Act to legalize the assessments made in the County of Calaveras;

Also, Senate bill No. 25, an Act to amend an Act approved February nineteenth, eighteen hundred and fifty-seven, entitled an Act fixing the time of holding the several Courts authorized to be held by the County Judge of the County of Calaveras, and to change the manner of summoning a jury for the County Courts of said county, approved April twenty-seventh, eighteen hundred and fifty-five.

BURNELL, Chairman.

On the motion of Mr. Crane, that the Senate adjourn until Tuesday next, the ayes and noes were demanded, by Messrs. Chamberlain, Shannon, and Harvey, and taken, with the following result:

AYES—Messrs. Abell, Baker, Burnell, Crane, Harriman, Higgins, Holden, McCullough, Perkins, Porter of Contra Costa, Porter of Santa Cruz, and Wallis—12.

NOES—Messrs. Booth, Chamberlain, Cunningham, Gaskill, Harvey, Higby, Kutz, Lewis, McNabb, Nixon, Oulton, Powers, Shannon, Shurtleff, Van Dyke, and Whiting—16.

At one o'clock and fifteen minutes, p. m., on motion of Mr. Chamberlain, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Monday, January 19th, 1863. }

Senate met pursuant to adjournment.

Roll called.

Quorum present.

Mr. Quint was granted indefinite leave of absence.

Messrs. Crane, Cunningham, Abell, Saxton, McCullough, Clark, and Pacheco, were each granted one day leave of absence.

Prayer by Reverend Mr. Charlton.

Journal of yesterday [Saturday] read and approved.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Park, for an Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act concerning wills, passed April tenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Shurtleff, for an Act to amend section one of an Act, approved March thirteenth, eighteen hundred and sixty-two, to transcribe certain records of the county of Shasta.

Read first and second times, and placed on file.

Also, for an Act to amend section one of an Act, approved April tenth, eighteen hundred and sixty-two, concerning the county records of the County of Trinity.

Read first and second times, and placed on file.

By Mr. Wallis, for an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate bill No. 43, an Act supplemental to an Act to provide for funding the indebtedness of the county of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—considered in Committee of the Whole, reported with amendments, amendments adopted, rules suspended, bill considered engrossed, read third time, and passed.

At eleven o'clock and twenty-five minutes, A. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 20th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Indefinite leave of absence was granted to Mr. Bogart.

Prayer by Rev. Mr. Benton.

Journal of yesterday read and approved.

Mr. Higgins, from the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 5, an Act to provide for the purchase of postage stamps and Express envelopes for the members and officers of the Legislature at its fourteenth session;

And, on the nineteenth of January, eighteen hundred and sixty-three,

at two o'clock, P. M., the said bill was presented to the Governor for his approval.

HIGGINS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Whiting, for an Act to pay John C. Doherty for services rendered the State.

Read first and second times, and referred to the Committee on Claims.

By Mr. Burnell, for an Act to amend section sixteen of an Act entitled an Act concerning jurors, approved May third, eighteen hundred and fifty-two, and to amend section second of an Act amendatory to said Act, approved May third, eighteen hundred and fifty-two, passed January twenty-eighth, eighteen hundred and fifty-four.

Mr. Chamberlain gave notice of the introduction of a resolution for the appointment of a committee to inquire whether the Hon. Thomas Baker, a member of the Senate, has at any time been guilty of uttering seditious and treasonable language, and especially at Visalia, in this State, on the sixteenth of August last, and that the Committee have power to send for persons and papers.

GENERAL FILE.

Senate bill No. 45, an Act to amend section one of an Act approved March thirteenth, eighteen hundred and sixty-two, entitled an Act to transcribe certain records in the County of Shasta—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 48, an Act to amend section one of an Act approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the Court of Records in the County of Trinity—rules suspended, considered engrossed, read third time, and passed.

RESOLUTION.

Mr. Gaskill offered the following resolution :

WHEREAS, At the annual election held on the fourth day of September, eighteen hundred and sixty-one, Leander Quint and Joseph M. Cavis were candidates for the office of State Senator for the Twelfth Senatorial District, embracing the Counties of Mono and Tuolumne, and that, at said election, according to the returns received at the Clerk's office of said counties, said Leander Quint received two thousand two hundred and eight votes, and said Joseph M. Cavis received two thousand and thirty-six votes, and thereupon the said Quint received the certificate of election, and is, in pursuance thereof, sitting as a member of this Senate;

AND WHEREAS, Said Joseph M. Cavis did appear at the last session of the Legislature and contest the election of said Quint, and from the evidence taken before a Committee of the Senate at that time, it did appear that four hundred and six votes returned as having been cast for said Quint at a place called Big Springs, in the White Mountains, in Mono County, were fraudulently returned, no such election having ever been held, and said returns being false and forged; be it, therefore,

Resolved, That the said Leander Quint is not entitled to the seat now occupied by him in the Senate.

Laid on the table.

Mr. Cavis was excused from serving on the Committee on Elections, and Mr. McCullough was appointed in his stead.

Mr. McNabb introduced a bill for an Act in relation to lands owned or claimed by tenants in common.

Read first and second times, and referred to the Judiciary Committee.

At eleven o'clock and thirty-five minutes, A. M., on motion of Mr. Bunnell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Wednesday, January 21st, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Parks made the following report :

MR. PRESIDENT :—Your Committee on Joint Rules beg leave to report the following Rules for the government of the two Houses.

W. H. PARKS,

Chairman of Senate Committee.

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.

In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committees shall meet at a convenient hour, to be agreed upon by their respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

II.

When a message shall be sent from either House, it shall be announced at the door by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

IV.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

V.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the Assembly or of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the State.

VI.

When bills are enrolled, they shall be examined by the Enrolling Committee of the House in which they originate, who shall carefully compare the enrolment with the engrossed bill, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated.

VII.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

VIII.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State, for his approval (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journals of the House in which the bill originated.

IX.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

X.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber, by the President of the Senate, in the presence of the Speaker and both Houses.

XI.

When a bill or resolution which shall have passed in one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

XII.

When a bill or resolution which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session without a notice of five days, and leave of two thirds of that House in which it shall be renewed.

XIII.

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

XIV.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

XV.

No bill or resolution that shall have passed the Assembly and Senate shall be presented to the Governor for his approval on the last day of the session.

XVI.

No appropriations of money, for any purpose whatever, shall be made except by bill.

XVII.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

XVIII.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

XIX.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes, or is under the control of this Legislature.

XX.

No increase of the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XXI.

• All concurrent or joint resolutions, which relate to or contain com-

munications to the Federal Government, shall be treated in all respects as bills.

The Rules were adopted, and the usual number of copies, with the names of the Standing Committees, ordered printed.

Mr. Holden, Chairman of the Committee on Public Lands, made the following report :

MR. PRESIDENT :—The Committee on Public Lands have had under consideration Senate joint resolution No. 3, relative to lands donated by Act of Congress, approved July second, eighteen hundred and sixty-two, to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanical arts, and recommend its passage without amendment.

HOLDEN, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof, beg leave to report that they have had the same under consideration, and report it back with amendments, and recommend its passage as amended ;

Also, Senate bill No. 40, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, report the same back with amendments, and recommend its passage as amended.

VAN DYKE, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Holden, for an Act to amend an Act making certificates of purchase or of location evidence of title, approved April thirteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Public Lands.

By Mr. Wallis, for an Act amendatory of and supplementary to an Act entitled an Act to establish and regulate Common Schools, and to repeal former Acts concerning the same, passed May third, eighteen hundred and fifty-five, and the several Acts amendatory of and supplementary thereto.

Read first and second times, and referred to the Committee on Education.

RESOLUTIONS.

Mr. Chamberlain offered the following resolution :

Resolved, That a Committee of five be appointed by the Chair to inquire whether Hon. Thomas Baker, a member of this Senate, has, at any time, been guilty of uttering seditious and treasonable language, and especially on or about the sixteenth of August last past, in a public

speech delivered in the town of Visalia, in this State, and to report the facts, and what action, if any, should be taken thereon.

Upon the adoption of the resolution, the ayes and noes were demanded, by Messrs. Kutz, McNabb, and Birdseye, and taken, with the following result :

A YES—Messrs. Abell, Anderson, Birdseye, Booth, Burnell, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Higby, Higgins, Kutz, Lewis, McCullough, McNabb, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—31.

NOES—Messrs. Doll, Holden, Nixon, and Vineyard—4.

Mr. Parks offered a concurrent resolution, relative to allowing the Resident Physician of the State Insane Asylum five hundred copies of his report.

Adopted.

Mr. Shurtleff offered the following resolution :

Resolved, That William McCoy be appointed Assistant Porter of the Senate, at the same per diem allowed other Porters of this body.

Laid on the table.

Mr. Holden offered a concurrent resolution relative to mechanical and agricultural arts colleges.

Mr. Harvey moved to refer to the Committee on Public Lands.

Mr. Perkins moved to amend the motion by referring to the Committee on Education.

The Chair decided that the amendment was not in order; that motions to refer to different Standing Committees must be put in the order in which they are made.

Mr. Powers appealed.

The decision of the Chair was sustained.

The motion to refer to the Committee on Public Lands was lost.

The resolution was referred to the Committee on Education.

REPORTS.

Mr. Burnell, from the Committee on Engrossment, made the following reports :

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate concurrent resolution No. 7, relative to the change of the line between the San Francisco and Humboldt Land Districts.

BURNELL, Chairman.

MR. PRESIDENT:—The Engrossing Committee have examined, and found correctly engrossed, Senate bill No. 48, entitled an Act to amend section one of an Act approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the county records of the County of Trinity;

Also, Senate bill No. 43, entitled an Act supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of

Mendocino, approved April nineteenth, A. D. eighteen hundred and sixty-two;

Also, Senate bill No. 45, entitled an Act to amend section one of an Act, approved March thirteenth, eighteen hundred and sixty-two, entitled an Act to transcribe certain records of the County of Shasta.

BURNELL, Chairman.

GENERAL FILE.

Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their powers and duties, passed March twentieth, eighteen hundred and fifty-five, and all other Acts amendatory thereof—amended, and ordered engrossed.

Joint resolution No. 3, relative to certain lands donated to the State of California by the General Government—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 40, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—amended, and ordered engrossed.

At two o'clock, P. M., on motion of Mr. Shannon, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Thursday, January 22d, 1863. }

Senate met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by Rev. Mr. Benton.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee have had under consideration Assembly bill No. 20, an Act to repeal an Act entitled an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, Anno Domini eighteen hundred and sixty-two.

This Act repeals an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two. (Laws of 1862, p. 306-7.)

This latter Act creates a special fee bill for Monterey County, and the

tenth section thereof repeals all laws and parts of laws conflicting with its provisions, as far as the County of Monterey is concerned.

By an Act passed March fourteenth, eighteen hundred and fifty-three, concerning repealed statutes, (Wood's Digest, p. 50, art. 38.) it is provided that no Act or part of an Act repealed by another Act of the Legislature shall be deemed revived by the repeal of the repealing Act, without express words reviving such repealed Act or part of an Act. It would therefore follow, that if the bill under consideration should become a law, the county officers of Monterey County would be left without any fee bill.

As your committee are not advised that such is the desire of the delegation from that county, they report the bill back without recommendation.

They have also considered Senate bill No. 39, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate, and recommend its indefinite postponement ;

They have also considered Senate bill No. 44, an Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto, and recommend its passage.

VAN DYKE, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Senate bill No. 8, being for the relief of Mannasseh Sleeper, Tax Collector of Siskiyou County, amounting to four hundred dollars, and report the same back, and recommend the passage of the bill.

OULTON, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
January 20th, 1863. }

MR. PRESIDENT :—The Assembly, on the nineteenth instant, passed Assembly bill No. 3, an Act to authorize the County of San Joaquin to issue bonds for agricultural uses ;

Also, on the seventeenth instant, passed Assembly bill No. 17, an Act to re-district the County of Santa Clara, and provide for the election of Supervisors ;

Also, this day, adopted Assembly concurrent resolution No. 7, relative to Joint Convention for the election of a Trustee of the State Library.

W. N. SLOCUM.

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 3, above reported, read first and second times, and referred to San Joaquin delegation.

Assembly bill No. 17, above reported, read first and second times, and referred to Santa Clara delegation.

Assembly concurrent resolution No. 7, above reported, amended, and concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act amendatory of and supplementary to an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty.

Read first and second times, and referred to the Finance Committee.

By Mr. Perkins, for an Act to amend an Act prescribing the rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on State Library.

By Mr. Higgins, for an Act making an appropriation for the payment of the expenses growing out of the indictment and trial of Horace Smith for murder.

Read first and second times, and referred to the Committee on Claims.

By Mr. Wallis, for an Act concerning estray animals.

Read first and second times, and referred to Committee on Agriculture, and usual number of copies ordered printed.

By Mr. Pacheco, for an Act to provide for funding the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three.

Read first and second times, and referred, with petitions, to the Judiciary Committee.

By Mr. Holden, for an Act to provide for the selection and sale of the lands donated to this State for the support and maintenance of an agricultural and mechanical college.

Read first and second times, and referred to Committee on Public Lands, and ordered printed.

Mr. McNabb offered concurrent resolutions relative to Miranda claim to the Rancho Arroyo de San Antonio.

The Chair decided that the resolutions had to be treated as a bill.

Mr. Chamberlain appealed.

The decision of the Chair was sustained.

Resolutions read first and second times, and referred to Committee on Public Lands.

Mr. Doll offered a resolution granting leave of absence to the County Judge of Tehama County.

Lost.

The Chair appointed as committee, in accordance with the resolution of Mr. Chamberlain, adopted on yesterday, Messrs. Chamberlain, Higby, Booth, Shannon, and Harvey.

At one o'clock and forty minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Friday, January 23d, 1863. }

Senate met pursuant to adjournment.
President in the Chair.
Roll called.
Quorum present.
Prayer by Rev. Mr. Charlton.
Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, from the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County, beg leave to report that they have had the same under consideration, and recommend that it be indefinitely postponed ;

They have also considered Senate bill No. 4, an Act amendatory of and supplementary to an Act concerning Attorneys and Counsellors at Law, passed February nineteenth, eighteen hundred and fifty-one, and recommend that the same be indefinitely postponed.

VAN DYKE, Chairman.

Mr. Holden, from the Committee on Public Lands, made the following report :

MR. PRESIDENT :—The Committee on Public Lands, to whom was referred Senate concurrent resolution No. 10, relative to Mexican grants, have had the same under consideration, and report the same to the Senate, and recommend their [its] passage.

HOLDEN, Chairman.

Mr. Chamberlain made a verbal report recommending the passage of Assembly bill No. 3, an Act to authorize the County of San Joaquin to issue bonds for agricultural uses, with an amendment.

Mr. Shurtleff introduced a bill for an Act to amend an Act relative to Public Administrators in certain counties.

Read first and second times, and placed on file.

GENERAL FILE.

Senate bill No. 37, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate—reported back by Judiciary Committee, recommending the indefinite postponement of the bill.

On the adoption of the report, the ayes and noes were demanded, by Messrs. Chamberlain, Porter of Santa Cruz, and Porter of Contra Costa, and taken, with the following result :

AYES—Messrs. Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harvey, Higby, Kutz, Oulton, Porter of Santa Cruz, Saxton, Shurtleff, Van Dyke, Vineyard, and Wallis—17.

NOES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Harri-
man, Higgins, Holden, Nixon, Pacheco, Parks, Perkins, Powers, Shan-
non, and Whiting—16.

Mr. Harvey gave notice of reconsideration.

Senate Bill No. 44, an Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto—rules suspended, bill considered engrossed, read third time and passed.

Senate bill No. 8, an Act for the relief of Mannassah Sleeper, Tax Col-
lector of Siskiyou County—rules suspended, bill considered engrossed,
read third time and passed.

Assembly bill No. 20, an Act to repeal an Act concerning certain sal-
aries and fees of office in the County of Monterey, approved April nine-
teenth, A. D. eighteen hundred and sixty-two—referred to Monterey de-
legation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Doll, for an Act amendatory of and supplemental to an Act to
incorporate a State Agricultural Society, approved May thirteenth,
eighteen hundred and fifty-four, and amended March thirtieth, eighteen
hundred and fifty-eight.

Read first and second times, and referred to Committee on Agriculture,
with instructions to report to-morrow, if practicable.

By Mr. Burnell, for an Act to grant to Larkin Lamb and his associates
the right to construct and maintain a toll bridge across the Cosumnes
river, in the counties of Amador and El Dorado.

Read first and second times, and referred to the Amador and El Dorado
delegations.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
January 22d, 1863. }

MR. PRESIDENT :—The Assembly, on the nineteenth instant, passed As-
sembly bill No. 19, an Act to extend the provisions of an Act authorizing
the District Attorneys of certain counties to appoint Deputies ;

Also, the Assembly, on the twenty-second day of January, adopted
Joint Rules for the government of the Senate and Assembly, a copy of
which is herewith transmitted for the concurrence of the Senate.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
January 23d, 1863. }

MR. PRESIDENT :—The Assembly yesterday concurred in Senate con-
current resolution No. 8, relative to furnishing the Superintendent of the
State Insane Asylum with five hundred copies of his report.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly [bill] No. 19, above reported, read first and second times, and placed on file.

Joint Rules of Senate and Assembly, above reported, were adopted as amended.

Mr. Abell offered a resolution relating to translating the laws of the present session into the Spanish language.

Adopted.

Concurrent resolution No. 10, relating to the Miranda claim to the Rancho Arroyo de San Antonio.

On the motion to suspend the rules and consider the resolution engrossed, the ayes and noes were demanded, by Messrs. Crane, Chamberlain and McNabb, and taken, with the following result :

AYES—Messrs. Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Doll, Gaskill, Harriman, Harvey, Higby, Holden, Lewis, McCullough, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Saxton, Shannon, Shurtleff, Wallis, and Whiting—27.

NOES—Messrs. Cunningham, Kutz, Pacheco, Porter of Santa Cruz, and Powers—5.

Resolution made the special order for Wednesday, January twenty-eighth, eighteen hundred and sixty-three, at twelve o'clock, M.

At one o'clock, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, January 24th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Benton.

Journal of yesterday read and approved.

Mr. Booth introduced a bill for an Act to amend an Act entitled an Act to provide for the location of school warrants upon unsurveyed lands, and for the issuance of title for the same, approved April eighteenth, eighteen hundred and fifty-nine.

Read first and second times, and referred to the Committee on Public Lands.

Mr. Harvey moved to reconsider the vote by which the Senate, on yesterday, indefinitely postponed Senate bill No. 37, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate.

Mr. Abell moved to make the motion to reconsider the special order for Wednesday, January twenty-eighth, at one o'clock, P. M.

Carried.

GENERAL FILE.

Senate bill No. 4, an Act amendatory and supplementary to the Act concerning Attorneys and Counsellors at Law, passed February nineteenth, eighteen hundred and fifty-one—indefinitely postponed.

Assembly bill No. 19, an Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies, to the District Attorneys of the Counties of Tulare, Klamath, Del Norte, Los Angeles, Santa Clara, and El Dorado—referred to the Judiciary Committee.

Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County—placed at the bottom of file.

Assembly bill No. 3, an Act to authorize the County of San Joaquin to issue bonds for agricultural uses—reported with amendments, amendments concurred in, bill read third time, and passed.

Senate bill No. 62, an Act to amend an Act entitled an Act to provide for Public Administrators in certain counties, passed March thirteenth, eighteen hundred and sixty-two—rules suspended, bill considered engrossed, read third time, and passed.

Mr. Burnell, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other acts amendatory thereof;

Also, Senate bill No. 40, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, joint resolution No. 3, relative to lands donated by Act of Congress, approved July second, eighteen hundred and sixty-two, to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanical arts.

BURNELL, Chairman.

Mr. Burnell presented a petition from citizens of Amador County, relative to intemperance, and asking that the laws be so modified as not to remain a dead letter on the statute books, or that others be enacted to be in full force, constituting habitual drunkenness a felony, or misdemeanor, punishable by fine or legal restraint, and embracing in its provisions the responsibility of accessories and accomplices.

Referred to Committee on Public Morals.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
January 23d, 1863. }

MR. PRESIDENT:—The Assembly this day passed Assembly concurrent resolution No. 12, concerning the appointment of a Joint Committee,

and Messrs. Ames, Castro, and Hill, have been designated such committee on the part of the House. The Senate is requested to concur in the resolution, and appoint a similar committee.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
January 24th, 1863. }

Mr. PRESIDENT :—The Assembly yesterday passed Senate bill No. 24, an Act to legalize the assessments made in the County of Calaveras ;

Also, Senate bill No. 25, an Act to amend an Act, approved February nineteenth, eighteen hundred and fifty-seven, entitled an Act fixing the time of holding the several Courts authorized to be held by the County Judge of the County of Calaveras, and to change the manner of summoning a jury for the County Courts of said county, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, Senate bill No. 43, an Act supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two ;

Also, Senate bill No. 45, an Act to amend section one of an Act, approved March thirteenth, eighteen hundred and sixty-two, entitled an Act to transcribe certain records of the County of Shasta ;

Also, Senate bill No. 48, an Act to amend section one of an Act, approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the county records of the County of Trinity.

W. N. SLOCUM,
Assistant Clerk.

Concurrent resolution No. 12, above reported, relating to the translation of the laws of the present session into the Spanish language, was adopted, and Messrs. Abell, Pacheco, and McNabb, appointed on the part of the Senate, said committee.

At twelve o'clock and ten minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Monday, January 26th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Leave of absence for one day was granted to all Senators absent.

Prayer by Rev. Mr. Cohen.

Journal of Saturday read and approved.

A communication from the Order of Good Templars was read, tender-

ing the Senate an invitation to be present at the lecture to be given by J. E. Vinton, in the Assembly Chamber, this evening.

A remonstrance from citizens of Mendocino County, against the repeal of the Act organizing townships, was presented by Mr. Holden.

Referred to the Judiciary Committee.

REPORTS.

Mr. Van Dyke, from the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 59, an Act to amend section sixteen of an Act entitled an Act concerning jurors, approved May third, eighteen hundred and fifty-two, and to amend section second of an Act amendatory of said Act, approved May third, eighteen hundred and fifty-two, passed January twenty-eighth, eighteen hundred and fifty-four, having had the same under consideration, beg leave to report the same back, and recommend that it do not pass;

They have also considered Senate bill No. 34, an Act to amend an Act passed March twenty-fifth, eighteen hundred and sixty-two, entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, report the same back, with amendments, and recommend its passage as amended;

They have also considered Senate bill No. 35, an Act to legalize certain conveyances, and recommend its passage;

They have also considered Senate bill No. 28, an Act fixing the salary of the County Judge of San Joaquin County, and recommend that it be referred to the Special Committee on Judicial Salaries;

They have also considered Senate bill No. 12, an Act to amend an Act entitled an Act amendatory of and supplemental to an Act to prescribe the duties and to provide for the compensation of the several county officers of the County of Butte, approved May third, eighteen hundred and sixty-one, approved April fourteenth, eighteen hundred and sixty-two, and report the same back, with amendments, and recommend its passage as amended.

VAN DYKE, Chairman.

Mr. Burnell, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 44, entitled an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto;

Also, Senate bill No. 8, entitled an Act for the relief of Mannasseh Sleeper, Tax Collector of Siskiyou.

BURNELL, Chairman.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to which was

referred Senate bill No. 61, an Act amendatory of and supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, having examined the same, ask leave to report it, with a recommendation that it pass, with an amendment of the title, by striking out the words "amendatory of and," and a change of date of the amendatory Act referred to, from March thirtieth, eighteen hundred and fifty-eight, to March twentieth, eighteen hundred and fifty-eight, as the latter is the true date.

PORTER, Chairman.

Rules suspended, and bill above reported considered in Committee of the Whole, considered engrossed, read third time, and passed, and title amended as recommended.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 26th, 1863. }

MR. PRESIDENT:—The Assembly, on the twenty-third instant, passed Assembly bill No. 30, an Act to extend the provisions of an Act entitled an Act concerning hogs running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara;

Also, Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty.

Also, Assembly bill No. 35, an Act to authorize the Board of Supervisors of Santa Clara County to have certain Spanish records translated into English.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 30, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, above reported, read first and second times, and placed on file;

Assembly bill No. 35, an Act to authorize the Board of Supervisors of Santa Clara County to have certain Spanish records translated into English, above reported, read first and second times, and referred to the Santa Clara delegation;

Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty, above reported, read first and second times, and referred to the Committee on Education.

Mr. Porter of Contra Costa introduced a bill for an Act regulating actions affecting title or possession of real estate.

Usual number of copies ordered printed.

Read first and second times, and referred to the Judiciary Committee.

Mr. Parks offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to receipt to the Controller of State for all warrants for per diem and mileage of the Lieutenant-Governor and members of the Senate, and for per diem of officers, Clerks, and attachés, of the Senate.

Adopted.

GENERAL FILE.

Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County—returned to general file.

At eleven o'clock and forty-five minutes, A. M., on motion of Mr. Holden, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Tuesday, January 27th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke made a report, (for which see Appendix.)

Twelve hundred copies of the above report were ordered printed.

Mr. Burnell made the following report :

MR. PRESIDENT :—The El Dorado and Amador delegations, to whom was referred Senate bill No. 60, an Act to grant to Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes river, in the Counties of Amador and El Dorado, report the same back with amendments, and recommend its passage.

BURNELL,
HARVEY,
SAXTON.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and

found correctly engrossed, Senate bill No. 62, an Act to amend an Act relative to Public Administrators in certain counties;

Also, Senate bill No. 61, an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, amended March twentieth, eighteen hundred and fifty-eight.

BURNELL, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, in the year one thousand eight hundred and sixty-three, report the same back, and recommend that it be referred to the delegation from that county ;

They have also considered Senate bill No. 2, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and report the same back, with amendments, and recommend its passage as amended ;

They have also considered Senate bill No. 3, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and report the same, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Harvey made the following report :

MR. PRESIDENT:—The El Dorado and Amador delegations, to whom was referred Senate bill No. 36, an Act to amend an Act entitled an Act creating the officers of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fourth, eighteen hundred and sixty-two, have had the same under consideration, and beg leave to report the same back, with a substitute, and recommend the passage of the substitute.

HARVEY,
BURNELL,
SAXTON.

On motion, Senate bill No. 36, above reported, was considered, substitute as recommended by the committee adopted, bill considered engrossed, read third time, and passed.

Mr. Porter of Santa Cruz made the following report :

MR. PRESIDENT:—Your committee, to whom was referred Assembly bill No. 20, have had the same under consideration, and report the same back, with the recommendation that it be indefinitely postponed.

PORTER, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

January 26th. 1863. }

Mr. PRESIDENT:—The Assembly this day concurred in Senate amendments to Assembly bill No. 3, an Act to authorize the County of San Joaquin to issue bonds for agricultural uses ;

Also, concurred in Senate amendments to Assembly concurrent resolution No. 7, relative to Joint Convention for the election of a Trustee of the State Library ;

Also, passed Assembly concurrent resolution No. 8, relative to the establishment of a mail route in Tulare County, etc. ;

Also, passed Assembly bill No. 41, an Act to extend the provisions of an Act entitled an Act concerning lawful fences in the Counties of San Bernardino, Colusa, Shasta, Tehama, and Placer, approved April fifteenth, eighteen hundred and fifty-nine.

W. N. SLOCUM,

Assistant Clerk.

Assembly bill No. 41, an Act to extend the provisions of an Act entitled an Act concerning lawful fences in the Counties of San Bernardino, Colusa, Shasta, Tehama, and Placer, approved April fifteenth, eighteen hundred and fifty-nine, above reported, was read first and second times, and referred to the Committee on Agriculture.

Assembly concurrent resolution No. 8, relative to the establishment of a mail route in Tulare County, etc., above reported, was read first and second times, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Perkins, for an Act to create a Probate Court in the City and County of San Francisco, and to provide for the organization of the same.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Porter of Santa Cruz, for an Act to repeal an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two, and to revive an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Holden, for an Act for the relief of purchasers of Swamp and Overflowed, Salt Marsh, and Tide Lands.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Pacheco, for an Act authorizing the construction of a wagon road over the Coast Range of mountains in the County of San Luis Obispo.

Read first and second times, and referred to the Committee on Roads and Highways.

Mr. Porter of Contra Costa offered the following resolution :

Resolved, By the Senate, the Assembly concurring, that no indefinite leave of absence granted to any member shall be construed to cover an

absence of more than six days, except in cases of sickness of the absentee, and all grants of indefinite leave of absence are hereby rescinded.

Laid on the table.

GENERAL FILE.

Senate bill No. 40, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—read third time, and passed.

Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof—recommitted, after third reading, to the introducer, Mr. Wallis, with special instructions.

Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County—considered in Committee of the Whole, amended, amendments concurred in, and bill ordered engrossed.

Assembly bill No. 30, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara—read first and second times, and referred to the Judiciary Committee.

At one o'clock and thirty minutes, P. M., on motion of Mr. McNabb, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Wednesday, January 28th, 1863. }

Senate met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hertel.

Journal of yesterday read and approved.

Mr. Holden introduced a bill for an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate bill No. 34, an Act to amend an Act, passed March twenty-fifth, eighteen hundred and sixty-two, entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—amendments concurred in, and bill as amended ordered engrossed.

Senate bill No. 35, an Act to legalize certain conveyances.

On the motion to lay the bill on the table, the ayes and noes were demanded, by Messrs. Crane, McNabb, and Wallis, and taken, with the following result:

AYES—Messrs. Abell, Birdseye, Bogart, Cavis, Chamberlain, Cunningham, Doll, Gaskill, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shurtleff, and Whiting—24.

NOES—Messrs. Anderson, Booth, Clark, Crane, Harriman, Higgins, McCullough, McNabb, Nixon, Shannon, Van Dyke, and Wallis—12.

Senate bill No. 12, an Act to amend an Act entitled an Act amendatory of and supplemental to an Act to prescribe the duties and to provide for the compensation of the several county officers of the county of Butte, approved May third, eighteen hundred and sixty-one, approved April fourteenth, eighteen hundred and sixty-two—amended, rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 60, an Act to grant to Larkin Lamb and his associates the right to construct and maintain a toll bridge across the Cosumnes river in the Counties of Amador and El Dorado—amended, rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 3, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—ordered engrossed.

Senate bill No. 2, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—amended, and ordered engrossed.

Mr. Powers moved to reconsider the vote whereby Senate bill No. 3, above mentioned, was ordered engrossed.

Upon which, the ayes and noes were demanded, by Messrs. Parks, Perkins, and Powers, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Kutz, McCullough, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Van Dyke, Wallis, and Whiting—23.

NOES—Messrs. Birdseye, Bogart, Booth, Burnell, Doll, Harvey, Holden, Lewis, Oulton, Pacheco, Parks, Saxton, Shurtleff, and Vineyard—14.

Mr. Perkins offered a substitute to Senate bill No. 3—substitute adopted, and ordered engrossed.

SPECIAL ORDER.

Senate concurrent resolution No. 10, relative to the Miranda claim to the Arroyo de San Antonio.

Mr. Powers moved to adjourn.

Upon which, the ayes and noes were demanded, by Messrs. Whiting, McNabb, and Wallis, and taken, with the following result:

AYES—Messrs. Baker, Kutz, Lewis, Nixon, Perkins, Powers, and Vineyard—7.

NOES—Messrs. Abell, Anderson, Bogart, Booth, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Harriman, Harvey, Hathaway, Higby, Higgins, Holden, McCullough, McNabb, Pacheco, Porter of Santa Cruz, Saxton, Shannon, Shurtleff, Wallis, and Whiting—25.

Mr. Wallis moved to make the resolution the special order for Tuesday, February third, at twelve o'clock, M., and that the usual number of copies be printed.

Upon which, the ayes and noes were demanded, by Messrs. Shannon, McNabb, and Chamberlain, and taken, with the following result :

AYES—Messrs. Burnell, Cavis, Clark, Cunningham, Doll, Gaskill, Harvey, Hathaway, Higby, Lewis, Pacheco, Parks, Perkins, Powers, Shurtleff, Vineyard, and Wallis—17.

NOES—Messrs. Abell, Anderson, Baker, Bogart, Chamberlain, Crane, Holden, McCullough, McNabb, Nixon, Oulton, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Shannon, Van Dyke, and Whiting—17.

Mr. Perkins moved to make the resolution under consideration the special order for Wednesday, February fourth, at twelve o'clock, M.

Carried.

Senate bill No 37, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate—placed at the top of general file.

At one o'clock and forty-five minutes, P. M., on motion of Mr. Nixon, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, January 29th, 1863. }

Senate met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hertel.

Journal of yesterday read and approved.

Mr. McNabb presented a communication from the Roman Catholic Male Orphan Asylum of San Rafael.

Referred to the Finance Committee.

REPORTS.

Mr. Wallis, of the Santa Clara delegation, made the following report :

MR. PRESIDENT:—The Santa Clara delegation, having had under consideration Assembly bill No. 35, an Act to authorize the Board of Supervisors of Santa Clara County to have certain Spanish records translated into English, report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

Assembly bill No. 35, above reported, amended, read third time, and passed.

Mr. Wallis, of the Santa Clara delegation, made the following report :

Mr. PRESIDENT :—The Santa Clara delegation, having had under consideration Senate bill No. 41, entitled an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof, report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

GENERAL FILE.

Senate bill No. 37, an Act to authorize the executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate.

Pending the consideration of the above, the hour arrived to meet the Assembly in Joint Convention, for the purpose of electing a Trustee of the State Library, and the Senate proceeded to the Assembly Chamber for the purpose specified.

IN JOINT CONVENTION.

Lieutenant-Governor Chellis, President of the Senate, and Hon. T. N. Machin, Speaker of the House, presiding.

Senate roll called.

Absent—Mr. Quint.

House roll called.

Absent—Messrs. Banks, Denniston, Johnson, and Smith of Butte.

The joint resolution under which the Convention was called was read by the Secretary.

The following nominations were made for Trustee of the State Library :

Mr. Warwick nominated J. F. Morse.

Mr. Swift nominated F. M. Pixley.

Mr. Duncombe nominated J. M. Frey.

The roll was called, with the following result :

Names.	Morse.	Pixley.	Frey.
Abell.....	1		
Anderson.....	1		
Baker		1	
Birdseye	1		
Bogart		1	
Booth	1		
Burnell.....	1		
Cavis	1		
Chamberlain		1	
Clark.....	1		
Crane.....	1		
Cunningham	1		
Doll.....	1		
Gaskill	1		

Names.	Morse.	Pixley.	Frey.
Harriman	1		
Harvey			1
Hathaway.			1
Higby	1		
Higgins.....			1
Holden.....		1	
Kutz.....	1		
Lewis.....		1	
McCullough.....	1		
McNabb.....	1		
Nixon			1
Oulton	1		
Pacheco	1		
Parks	1		
Perkins.....	1		
Porter of Contra Costa.....			1
Powers		1	
Saxton.....	1		
Shannon	1		
Shurtleff.....	1		
Van Dyke.....	1		
Vineyard		1	
Wallis	1		
Whiting.....		1	
Adams.....			1
Adkison			1
Allen.....		1	
Ames			1
Andrews.....	1		
Banks.....		1	
Barclay.....	1		
Barstow	1		
Barton.....			1
Beeson	1		
Blanchard.....	1		
Burr.....			1
Butler.....			1
Castro	1		
Chappell	1		
Collins.....	1		
Crawford.....		1	
Deeth		1	
Dodge.....		1	
Dore		1	
Dudley of Placer.....		1	
Dudley of Solano			1
Duncombe			1
Dunne		1	
Estee			1
Farley.....		1	

Names.	Morse.	Pixley.	Frey.
Fitch.....		1	
Freeman.....		1	
Gunnison.....		1	
Herrington.....	1		
Hartson.....		1	
Haswell.....	1		
Hill.....		1	
Howell.....		1	
Irwin.....		1	
Kewen.....	1		
Keys.....	1		
Kincaid.....	1		
Martin.....		1	
McDonald.....		1	
Moore.....	1		
Meyers.....		1	
Orr.....			1
Owen, J. J.....		1	
Owen, J. W.....	1		
Palmer.....		1	
Patten.....	1		
Personette.....			1
Redfield.....			1
Rider.....	1		
Robertson.....		1	
Robinson.....	1		
Rule.....	1		
Sanderson.....		1	
Sargent.....	1		
Scott.....	1		
Scars.....	1		
Simpson.....	1		
Smith of Sierra.....			1
Sutton.....		1	
Swift.....		1	
Torrance.....		1	
Varney.....		1	
Warwick.....	1		
Watson.....		1	
Whipple.....	1		
Wilcox.....		1	
Willson.....		1	
Wright of Contra Costa.....			1
Wright of Del Norte.....	1		
Yule.....		1	
Mr. Speaker.....	1		
Totals.....	52	59	19

There being no choice, the Convention proceeded to ballot again, as follows :

Names.	Morse.	Pixley.	Frey.
Abell	1		
Anderson		1	
Baker		1	
Birdseye	1		
Bogart		1	
Booth	1		
Burnell	1		
Cavis	1		
Chamberlain		1	
Clark	1		
Crane	1		
Cunningham	1		
Doll	1		
Gaskill	1		
Harriman	1		
Harvey			1
Hathaway	1		
Higby	1		
Higgins		1	
Holden		1	
Kutz	1		
Lewis		1	
McCullough	1		
McNabb		1	
Nixon		1	
Oulton	1		
Pacheco	1		
Parks	1		
Perkins	1		
Porter of Contra Costa			1
Porter of Santa Cruz		1	
Powers		1	
Saxton	1		
Shannon	1		
Shurtleff	1		
Van Dyke	1		
Vineyard		1	
Wallis	1		
Whiting		1	
Adams	1		
Adkison	1		
Allen		1	
Ames			1
Andrews	1		
Banks		1	
Barclay	1		
Barstow		1	
Barton			1
Beeson	1		
Blanchard	1		
Burr			1

Names.	Morse.	Pixley.	Frey.
Butler	1		
Castro	1		
Chappell	1		
Collins	1		
Crawford		1	
Deeth	1		
Dodge		1	
Dore		1	
Dudley of Placer		1	
Dudley of Solano	1		
Duncombe			1
Dunne		1	
Estee	1		
Farley		1	
Fitch		1	
Freeman		1	
Gunnison		1	
Herrington	1		
Hartson	1		
Haswell	1		
Hill		1	
Howell	1		
Irwin		1	
Kewen	1		
Keys	1		
Kincaid	1		
Lux	1		
Martin		1	
McDonald		1	
Moore	1		
Meyers		1	
Orr			1
Owen, J. J.	1		
Owen, J. W.	1		
Palmer		1	
Patten	1		
Personette	1		
Redfield	1		
Rider	1		
Robertson		1	
Robinson	1		
Rule	1		
Sanderson		1	
Sargent	1		
Scott	1		
Sears	1		
Simpson	1		
Smith of Sierra			1
Sutton		1	
Swift		1	
Torrance		1	

Names.	Morse.	Pixley.	Frey.
Varney		1	
Warwick	1		
Watson		1	
Whipple	1		
Wilcox		1	
Willson		1	
Wright of Contra Costa			1
Wright of Del Norte	1		
Yule		1	
Mr. Speaker	1		
Totals	62	41	9

Mr. Morse, having received a majority of all the votes cast, was declared duly elected a Trustee of the State Library.

The object of the Convention being accomplished, it adjourned *sine die*.

IN SENATE.

Roll called.

Quorum present.

Consideration of Senate bill No. 37 resumed.

On the reconsideration of the vote by which the bill was indefinitely postponed, the ayes and noes were demanded, by Messrs. Oulton, Perkins, and Abell, and taken, with the following result :

AYES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Clark, Harriman, Hathaway, Higgins, Holden, McCullough, McNabb, Nixon, Pacheco, Parks, Perkins, Powers, Saxton, Shannon, Vineyard, and Whiting—22.

NOES—Messrs. Anderson, Chamberlain, Crane, Cunningham, Harvey, Higby, Kutz, Lewis, Oulton, Porter of Santa Cruz, Shurtleff, and Wallis—12.

On the motion to indefinitely postpone, the ayes and noes were demanded, by Messrs. Crane, Porter of Santa Cruz, and Kutz, and taken, with the following result :

AYES—Messrs. Anderson, Crane, Cunningham, Harvey, Higby, Kutz, Porter of Santa Cruz, Shurtleff, Van Dyke, and Wallis—10.

NOES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Clark, Gaskill, Hathaway, Higgins, Holden, McCullough, McNabb, Nixon, Pacheco, Parks, Perkins, Powers, Shannon, Vineyard, and Whiting—21.

Bill considered in Committee of the Whole, amended, rules suspended, considered engrossed, read third time, and passed.

At two o'clock, P. M., on motion of Mr. Harvey, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Friday, January 30th, 1863. }

Senate met pursuant to adjournment.
President pro tem in the Chair.
Roll called
Quorum present.
Prayer by Reverend Mr. Cohen.
Journal of yesterday read and approved.

REPORTS.

Mr. Holden, Chairman of Committee on Public Lands, made the following report:

MR. PRESIDENT:—The Committee on Public Lands have had under consideration Senate bill No. 52, an Act to amend an Act making certificates of purchase, or of location, evidence of title. approved April thirteenth, A. D. eighteen hundred and fifty-nine, and report the same to the Senate, with a recommendation that it be passed.

HOLDEN, Chairman.

Mr. Burnell, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 34, entitled an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by Act passed March twenty-fifth, eighteen hundred and sixty-two;

Also, Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County;

Also, Senate bill No. 2, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 60, an Act to grant to Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes river, in the Counties of Amador and El Dorado;

Also, Senate bill No. 3, an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty;

Also, Senate bill No. 12, an Act to amend an Act amendatory of and supplemental to an Act to prescribe the duties and to provide for the compensation of the several county officers of the County of Butte, approved May third, eighteen hundred and sixty-one, approved April fourteenth, eighteen hundred and sixty-two.

BURNELL, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 20th, 1863. }

MR. PRESIDENT :—The House yesterday passed Assembly bill No. 54, an Act to authorize the Supervisors of Trinity County to levy a toll on certain roads in said county ;

Also, on the same day, passed Senate concurrent resolution No. 7, relative to the change of the line between the San Francisco and Humboldt Land Districts.

W. N. SLOCUM,
Assistant Clerk.

Assembly bill No. 54, above reported, read first and second times, and referred to the Committee on Roads and Highways.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Bogart, for an Act authorizing the Guardian of Frederico Alvarado, a minor, to sell real estate.

Read first and second times, and placed on file.

By Mr. Abell, for an Act to authorize Robert J. Vandewater to construct a dry dock.

Read first and second times, and referred to Committee on Commerce and Navigation.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and fifty-one, and an Act amendatory and supplementary thereof, approved the fourteenth day of May, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Birdseye, for an Act for the relief of Matthew Bird.

Read first and second times, and referred to the Committee on Claims.

By Mr. Porter of Santa Cruz, for an Act to authorize the construction of floating dry docks in the Harbor of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Burnell, for an Act in reference to corporations organized in this State for the purpose of mining.

Read first and second times, and referred to the Committee on Corporations.

GENERAL FILE.

Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof—amended, read third time and passed.

Senate bill No. 50, an Act to amend section sixteen of an Act entitled an Act concerning jurors, approved May third, eighteen hundred and fifty-four, and to amend section second of an Act amendatory to said Act, approved May third, eighteen hundred and fifty two, passed January twenty-eighth, eighteen hundred and fifty-four—laid on the table.

Senate bill No. 2, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Holden, Harriman, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Cavis, Chamberlain, Clark, Crane, Cunningham, Harriman, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Perkins, Porter of Contra Costa, Powers, Shannon, Van Dyke, and Wallis—21.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Burnell, Doll, Harvey, Holden, Lewis, Pacheco, Parks, Saxton, Shurtleff, and Vineyard—14.

Senate bill No. 3, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Doll, Kutz, and Harriman, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Cavis, Chamberlain, Clark, Crane, Cunningham, Harriman, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Perkins, Porter of Contra Costa, Powers, Shannon, Van Dyke, Wallis, and Whiting—22.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Burnell, Doll, Harvey, Holden, Lewis, Pacheco, Parks, Saxton, Shurtleff, and Vineyard—14.

Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Burnell, Kutz, and Wallis, and taken, with the following result :

AYES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Chamberlain, Gaskill, Harriman, Harvey, Higgins, Lewis, McCullough, McNabb, Nixon, Pacheco, Parks, Perkins, Powers, Saxton, and Shannon—21.

NOES—Messrs. Anderson, Cavis, Clark, Crane, Cunningham, Higby, Kutz, Oulton, Shurtleff, and Wallis—10.

Senate bill No. 34, an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by an Act passed March twenty-fifth, eighteen hundred and sixty-two—read third time, and passed.

REPORTS.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 36, an Act to amend an Act entitled an Act creating the office of Township Collector and Assessor in the Counties of El Dorado and Amador, approved April twenty-fifth, A. D. eighteen hundred and sixty-two.

BURNELL, Chairman.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

Mr. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 24, an Act to legalize the assessments made in the County of Calaveras;

Also, Senate bill No. 25, an Act to amend an Act, approved February nineteenth, eighteen hundred and fifty-seven, entitled an Act fixing the time of holding the several Courts authorized to be held by the County Judge of the County of Calaveras, and to change the manner of summoning for the County Courts of said county, approved April twenty-seventh, eighteen hundred and fifty-five;

And that said bills, on the twenty-ninth day of January, A. D. eighteen hundred and sixty-three, at half past twelve o'clock, P. M., were delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report:

Mr. PRESIDENT:—The Committee on Contingent Expenses have examined, and found correct, the following bills:

James Anthony & Co.....	\$107 00
Spirit of the Times.....	18 00
George I. Lytle (Bulletin and Golden Era).....	73 20
Total.....	\$198 20

The Committee recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is hereby required to draw his warrant in favor of the above parties for the several amounts specified, payable out of the Contingent Fund of the Senate.

POWERS, Chairman.

Mr. Pacheco, of the Santa Barbara and San Luis Obispo delegation, made the following report:

Mr. PRESIDENT:—The delegation unto whom was referred Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo, outstanding on the first day of July, in the year eighteen hundred and sixty-three, beg leave to inform this honorable body that the same was carefully drawn by and with the direction of the Board of Supervisors of that county, and that the matter therein proposed has for the last twelve months been liberally discussed and canvassed by the people, who have expressed their unanimous will to the measure through petition. Therefore, your delegation respectfully report the bill back, with recommendation that the same do pass.

PACHECO, for Delegation.

Mr. Van Dyke offered a concurrent resolution, relative to Indian affairs.

Referred to the Committee on Military Affairs.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER

January, 30th, 1863. }

Mr. PRESIDENT:—The Assembly yesterday passed Assembly joint resolution No. 1, declaratory of the adoption of the amendments to the Constitution proposed to the Legislature at its twelfth session ;

Also, on same day, passed Assembly bill No. 12, an Act to provide a fund for the redemption of county warrants in Tuolumne County, etc. ;

Also, on same day, passed Assembly bill No. 68, an Act to authorize the Board of Supervisors of San Bernardino County to levy a special tax ;

Also, this day, concurred in Senate amendments to Assembly bill No. 35, an Act to authorize the Board of Supervisors of Santa Clara County to have certain Spanish records translated into English ;

Also, this day, passed Senate bill No. 62, an Act to amend an Act relative to Public Administrators in certain counties ;

Also, this day, passed Senate joint resolution No. 3, relative to certain lands donated to California by the General Government.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Joint resolution No. 1, above reported, declaratory of the adoption of the amendments to the Constitution proposed by the Legislature at its twelfth session, was referred to the Judiciary Committee.

Assembly bill No. 12, above reported, an Act to provide a fund for the redemption of and prescribing the manner of redeeming the outstanding county warrants drawn upon the Treasury of Tuolumne, and further to provide for the payment of all the current expenses of said Tuolumne County in cash, was read first and second times, and placed on file.

Assembly bill No. 68, above reported, read first and second times, and referred to the San Bernardino delegation.

At one o'clock and forty minutes, P. M., on motion of Mr. Burnell, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, January 31st, 1863. }

Senate met pursuant to adjournment

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hertel.
Journal of yesterday read and approved.

REPORTS.

Mr. Vandyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Assembly bill No. 30, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, have had the same under consideration, and report the same back, with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 65, an Act to repeal an Act entitled an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, A. D. eighteen hundred and sixty-two, and to revive an Act entitled an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, A. D. eighteen hundred and fifty-seven, and report the same back, and recommend its passage ;

Also, Assembly bill No. 19, an Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies, to the District Attorneys of the Counties of Tulare, Klamath, Del Norte, Los Angeles, Santa Clara, and El Dorado, and report the same back, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 21, being for the payment of expenses incurred in squatter troubles in Sonoma County, amounting to eleven hundred and ninety dollars and forty cents, and report the same back, and recommend its passage.

OULTON, Chairman.

Assembly bill No. 21, above reported, considered in Committee of the Whole, read third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
January 30th, 1863. }

MR. PRESIDENT :—The Assembly, this day, passed Assembly concurrent resolution No. 15, concerning the printing of Governor's Message, etc., in which they ask the concurrence of Senate.

W. N. SLOCUM,
Assistant Clerk.

Assembly concurrent resolution No. 15, above reported, was amended and adopted.

GENERAL FILE.

Senate bill No. 57, an Act to provide for the funding of the county indebtedness of the County of San Luis Obispo, outstanding on the first day of July, eighteen hundred and sixty-three—amended, and ordered engrossed.

Assembly bill No. 12, an Act to provide a fund for the redemption of and prescribing the manner of redeeming the outstanding county warrants drawn upon the treasury of Tuolumne County, and further to provide for the payment of all current expenses of said Tuolumne County in cash—read third time, and passed.

Senate bill No. 73, an Act authorizing the Guardian of Frederico Alvarado, a minor, to sell real estate—ordered engrossed.

Senate bill No. 65, an Act to repeal an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two, and to revive an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, eighteen hundred and fifty-seven—bill considered engrossed, read third time, and passed.

At one o'clock and twenty-five minutes, P. M., on motion of Mr. Holden, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Monday, February 2d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

All the absentees were granted one day's leave of absence.

Journal of Saturday read and approved.

A communication was received from the Grand Secretary of the Grand Order of Good Templars, with an invitation to attend a temperance lecture, by Hon. J. E. Vinton, at the Rev. Mr. Benton's Church, this evening.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty, having had the same under consideration, beg leave to report the same back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have carefully examined, and found correctly engrossed, Senate bill No. 37.

KUTZ for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act to separate the office of Collector of Taxes from the office of Sheriff in the County of Trinity.

Read first and second times, and placed on file.

By Mr. Burnell, for an Act to grant the right to construct a turnpike road from Doshe's store, in Ione Valley, to the Town of Jackson, in the County of Amador.

Read first and second times, and placed on file.

By Mr. Holden, for an Act authorizing the maintaining of a marine railway in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

RESOLUTIONS.

Mr. Chamberlain offered the following resolution :

Resolved, That the Judiciary Committee be and are hereby requested to inquire what action, if any, is necessary to confer jurisdiction on the Courts of this State in suits brought to collect Federal taxes or licenses, and report by bill or otherwise.

Adopted.

Resolutions were introduced by Messrs. Crane, Gaskill, and Harvey, relative to moneys drawn from the Swamp Land Fund after its transfer, but prior to its being enjoined.

Laid on the table.

Mr. Doll moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Perkins, Oulton, and Powers, and taken, with the following result :

AYES—Messrs. Baker, Bogart, Booth, Doll, Higgins, Lewis, Nixon, and Powers—8.

NOES—Messrs. Burnell, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harvey, Hathaway, Higby, Holden, Kutz, McCullough, McNabb, Oulton, Parks, Perkins, Porter of Santa Cruz, Saxton, Shaanon, Shurtleff, Van Dyke, and Wallis—22.

Mr. Kutz offered the following resolution :

Resolved, By the Senate, that hereafter, no leave of absence shall be granted to any Senators, without such leave of absence shall be shown to be necessary and proper, and any Senator who shall be absent without leave, shall not, during such absence, draw or receive his per diem pay

Laid on the table.

GENERAL FILE.

Senate bill No. 52, an Act to amend an Act making certificates of purchase, or of location, evidence of title, approved April thirteenth, eighteen hundred and fifty-nine—considered in Committee of the Whole, and amended.

On the motion to order the bill engrossed and read third time, the ayes and noes were demanded, by Messrs. Burnell, Hathaway, and Lewis, and taken, with the following result:

AYES—Messrs. Baker, Bogart, Chamberlain, Cunningham, Doll, Harri-man, Harvey, Higby, Holden, Lewis, McNabb, Oulton, Parks, Perkins, Porter of Santa Cruz, Saxton, Shannon, Shurtleff, and Van Dyke—19.

NOES—Messrs. Booth, Burnell, Cavis, Crane, Gaskill, Hathaway, McCullough, Nixon, Powers, and Wallis—10.

Mr. Lewis gave notice of reconsideration.

At fifteen minutes past two o'clock p. m., on motion of Mr. Burnell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Tuesday, February 3d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly joint resolution No. 1, declaratory of the adoption of the amendments to the Constitution proposed by the Legislature at its twelfth session, having had the same under consideration, report it back, with an amendment, and recommend its passage as amended.

VAN DYKE, Chairman.

Assembly joint resolution No. 1, above reported, was amended so as to read as follows:

“Joint resolution declaratory of the adoption of the amendments to the Constitution proposed by the Legislature at its twelfth session—

"WHEREAS, The Legislature of this State, at its twelfth session, proposed certain amendments to the Constitution of the State, which were agreed to by a majority of the members elected to each of the two Houses, and entered on their journals, with the ayes and noes taken thereon, and referred to the Legislature then next to be chosen; and *whereas*, further, in the Legislature next chosen, at the thirteenth session thereof, said proposed amendments were agreed to by a majority of all the members elected to each House, and submitted by said Legislature to the people of the State, for their approval and ratification, at the general election held in the year one thousand eight hundred and sixty-two, at which election the people approved and ratified said proposed amendments, by a majority vote of the electors qualified to vote for members of the Legislature voting thereon; therefore,

"*Resolved*, By the Senate and Assembly, that said amendments are correctly entered on the written journal of the Senate of one thousand eight hundred and sixty-two, pages five hundred and sixty-four, five hundred and sixty-five, five hundred and sixty-six, five hundred and sixty-seven, five hundred and sixty-eight, five hundred and sixty-nine, and five hundred and seventy; and on the written journal of the Assembly of one thousand eight hundred and sixty-two, pages seven hundred and fourteen, seven hundred and fifteen, seven hundred and sixteen, seven hundred and seventeen, seven hundred and eighteen, seven hundred and nineteen, seven hundred and twenty, seven hundred and twenty-one, seven hundred and twenty-two, and seven hundred and twenty-three, and are correctly printed and published in the book containing the statutes enacted by the Legislature, at the thirteenth session thereof, in the year A. D. one thousand eight hundred and sixty-two, at pages five hundred and eighty-one, five hundred and eighty-two, five hundred and eighty-three, five hundred and eighty-four, five hundred and eighty-five, and five hundred and eighty-six; and that said amendments, as there published, have been constitutionally adopted, and have become a part of the Constitution, to take effect as provided in said amendments."

Upon the adoption of the resolution as amended, the ayes and noes were taken, with the following result:

AYES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—36.

NOES—Mr. Powers—1.

Mr. Bogart made the following report:

MR. PRESIDENT:—The delegation have had under consideration Assembly bill No. 68, and report the same back, and recommend that it do pass.

BOGART.

MESSAGE FROM THE GOVERNOR.

The following message were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 2d, 1863. }

To the Honorable the Senate of California:

I herewith transmit to your honorable body, the annual report of the Board of State Prison Directors.

There being but one copy of this report, I would respectfully ask that the Assembly be informed of its receipt by the Senate.

LELAND STANFORD, Governor.

The report of the State Prison Directors was referred to the Joint Committee on Printing.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER. }
 February 2d, 1863. }

MR. PRESIDENT:—The Assembly, on the thirty-first ultimo, passed Senate bill No. 44, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto;

Also, this day, passed Assembly bill No. 36, an Act fixing the salaries and fees of certain officers of San Bernardino County;

Also, this day, passed Assembly bill No. 66, an Act to legalize the purchase of the building and lot, by the Board of Supervisors of San Bernardino County, of Charles Glasser, for a County Prison, and to set the same aside for a Court House.

W. N. SLOCUM,
 Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 36, above reported, read first and second times, and placed on file.

Assembly bill No. 66, above reported, read first and second times, and placed on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Kutz, for an Act to amend an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wallis, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

Mr. Birdseye offered the following resolution:

WHEREAS, the Reverend Messrs. Benton, Hill, Cohen, Charlton, Urmey, Hertel, and Peck, have appeared and officiated as Chaplains to the Senate, in accordance with a resolution of the Senate inviting them

to perform this service, and the said officiating clergymen have authorized the Rev. Dr. Peck to draw and distribute per capita the per diem of five dollars (\$5) ordered by the Senate; therefore,

Resolved, That the Sergeant-at-Arms shall draw his certificate, and the Controller shall issue his warrant, for each day of actual service of the aforementioned clergymen, for said amount, in the name of Rev. Jesse T. Peck.

Adopted.

GENERAL FILE.

Assembly bill No. 19, an Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies, to the District Attorneys of the Counties of Tulare, Klamath, Del Norte, Los Angeles, Santa Clara, and El Dorado—laid on the table.

Assembly bill No. 30, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara—referred to the Butte delegation.

Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty—ordered engrossed.

Senate bill No. 76, an Act to grant the right to construct a turnpike road from Doshe's store in Ione Valley, to the town of Jackson, Amador County—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 77, an Act to separate the office of Collector of Taxes from the office of Sheriff in the County of Trinity—rules suspended, bill considered engrossed, read third time, and passed.

At one o'clock and twenty minutes, P. M., on motion of Mr. Kutz, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 4th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

A petition was presented by Mr. McNabb, from the citizens of Sonoma County, relative to the Miranda claim, remonstrating against the re-opening of the claim by Congress.

Mr. Gaskill moved to take from the table the resolution relative to the seat held by Mr. Quint.

Carried.

Resolution referred to the Committee on Elections.

Mr. Holden offered a resolution asking information of the Governor concerning the declaration of martial law in Round Valley, Mendocino County.

Amended, and placed on top of file for to-morrow.

SPECIAL ORDER.

Senate concurrent resolution No. 10, relative to the Mirada claim to the Arroyo de San Antonio, (special order of the day,) was taken up.

Mr. Parks moved to recommit to the delegation from Sonoma, with special instructions to strike out the preamble, and make the resolution applicable to any and all cases.

Mr. Oulton moved, as special instructions, to strike out the words "the reviving or opening of said claim, and also to oppose," in the fifth and sixth lines, first resolution, and add to the first resolution, at the eighth line, "and the claims to all lands which have not been presented to the Land Commissioners appointed by an Act of Congress to ascertain and settle the private land claims in the State of California, approved March third, eighteen hundred and fifty-one, and the several Acts supplemental thereto."

Amendment accepted by Mr. Parks, and, on the vote being taken, was lost.

On the passage of the resolution, the ayes and noes were demanded, by Messrs. McNabb, Chamberlain, and Powers, and taken, with the following result:

AYES—Messrs. Abell, Booth, Burnell, Cavis, Chamberlain, Crane, Gaskill, Harvey, Higby, Higgins, Holden, McCullough, McNabb, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Wallis, and Whiting—20.

NOES—Messrs. Bogart, Clark, Cunningham, Doll, Kutz, Lewis, Pacheco, Perkins, Porter of Santa Cruz, Quint, and Shurtleff—11.

Mr. Kutz, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 73, an Act authorizing the Guardian of Frederico Alvarado, a minor, to sell real estate;

Also, Senate bill No. 65, an Act to repeal an Act entitled an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, Anno Domini eighteen hundred and sixty-two, and to revive an Act entitled an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, Anno Domini eighteen hundred and fifty-seven;

Also, Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo, outstanding on the first day of July, in the year one thousand eight hundred and sixty-three.

KUTZ.

On the recommendation of the Committee on Engrossment, Senate

bill No. 57 was taken up, and the word "shall" inserted after the word "which," in the eleventh line of section eight.

At two o'clock, P. M., on motion of Mr. Burnell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Thursday, February 5th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 21, an Act concerning the Courts of Justice of this State and judicial officers, having had the same under consideration, report it back, with several amendments, and recommend its passage as amended;

Also, Senate bill No. 79, an Act to amend an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, report the same back, with amendments, and recommend its passage as amended.

VAN DYKE, Chairman.

Senate bill No. 21, above reported, ordered to top of file for Tuesday, February seventeenth, and twice the usual number of copies ordered printed.

Mr. Oulton, Chairman of the Committee on Claims, made the following report:

MR. PRESIDENT:—The Committee on Claims have had under consideration Senate bill No. 71, being for the relief of Matthew Bird, of New York, for coupons lost, amounting to five hundred and ninety-five dollars, and beg leave to report the same back, and recommend the passage of the bill.

OULTON, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 76, entitled an Act to grant the right to construct a turnpike road from Doshe's store, in Lone Valley, to the town of Jackson, in the County of Amador;

Also, Senate bill No. 77, an Act to separate the office of Collector of Taxes from the office of Sheriff, in the County of Trinity;

Also, Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty;

• Also, Senate bill No. 52, an Act to amend an Act making certificates of purchase, or of location, evidence of title, approved April thirteenth, eighteen hundred and fifty-nine.

BURNELL, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
February 4th, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County;

Also, passed Assembly bill No. 114, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, passed Assembly concurrent resolution No. 16, relative to Senate bill No. 43.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
February 4th, 1863. }

MR. PRESIDENT:—The Assembly, on the third instant, passed Assembly bill No. 55, an Act supplementary to an Act to establish, support and regulate Common Schools, and to repeal former acts concerning the same, approved May third, eighteen hundred and fifty-five;

Also, passed Assembly bill No. 60, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three, approved April twenty-eighth, eighteen hundred and fifty-seven, and acts amendatory thereof;

Also, passed Assembly bill No. 84, an Act to provide for the better keeping, protection, and disbursement of public moneys.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 114, above reported, read first and second times, and referred to Committee on Finance.

Assembly bill No. 84, above reported, read first and second times, and referred to Committee on Finance.

Assembly concurrent resolution No. 16, above reported, laid on table.

Assembly bill No. 60, above reported, read first and second times, and referred to Judiciary Committee.

Assembly bill No. 55, above reported, read first and second times, and referred to Committee on Education.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one.

Read first and second times, and referred to Judiciary Committee.

By Mr. Clark, for an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two.

Read first and second times, and placed on file.

By Mr. Higgins, for an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wallis, for an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Mr. McNabb, from the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate concurrent resolution No. 10.

McNABB, for Committee.

GENERAL FILE.

Resolution relative to the declaration of martial law in Round Valley, Mendocino County—was amended so as to read as follows :

WHEREAS, By an order of Brigadier-General Wright, commanding the United States forces on the Pacific Coast, martial law has been declared in Round Valley, Mendocino County ; therefore, be it

Resolved, That his Excellency, the Governor, be and he is hereby requested to inform the Senate whether he has received any official communication from General Wright touching the declaration of martial law in Round Valley, and if so, to furnish this Senate with copies thereof, and also communicate all other information his Excellency may have in his possession in reference to the issuance of said order, and what has been done under the same.

Adopted.

Senate bill No. 73, an Act authorizing the Guardian of Frederico Alvarado to sell real estate—read third time, and passed.

Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo, outstanding on the first of July, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 36, an Act to regulate the fees and salaries of certain

officers in San Bernardino County—amended, read third time, and passed.

At one o'clock P. M., on motion of Mr. Parks, the Senate adjourned.

J. F. GHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, February 6th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Peck.

Journal of yesterday read and approved.

Mr. Abell presented a petition from the Exempt Fire Company of the City of San Francisco.

Referred to the San Francisco delegation.

Also, from the Roman Catholic Female Orphan Asylum.

Referred to the Finance Committee.

Mr. Abell, from the Committee on Education, verbally reported Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty, and recommended its passage.

Mr. McCullough introduced a bill for an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Oulton, Assembly concurrent resolution No. 16, relative to Senate bill No. 43, was taken from the table.

Mr. Burnell offered a substitute.

Whole matter returned to the table.

GENERAL FILE.

Assembly bill No. 68, an Act to authorize the Board of Supervisors of San Bernardino County to levy a special tax—read third time, and passed.

Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 66, an Act to legalize the purchase of the building and lot, by the Board of Supervisors of San Bernardino County, of Charles Glasser, for a County Prison, and to set the same aside for a Court House—amended, read third time, and passed.

Senate bill No. 52, an Act to amend an Act making certificates of purchase, or of location, evidence of title, approved April thirteenth, eighteen hundred and fifty-nine—laid on the table.

Senate bill No. 79, an Act to amend an Act to organize townships, to regulate their powers and duties, and submit the same to a vote of the people—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 71, an Act for the relief of Matthew Bird—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 84, an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two—considered in Committee of the Whole, and referred to the Judiciary Committee.

Assembly bill No. 19, an Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies, to the District Attorneys of the Counties of Tulare, Klamath, Del Norte, Los Angeles, Santa Clara, and El Dorado—substitute adopted, amended, ordered engrossed, and read third time.

On motion of Mr. Lewis, at thirty minutes past one o'clock, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Saturday, February 7th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following reports:

Mr. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty, having had the same under consideration, report it back with amendments, and recommend its passage as amended;

Also, Senate bill No. 83, an Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one, report the same back with amendments, and recommend its passage as amended;

Also, Senate bill No. 46, an Act to amend an Act entitled an Act concerning wills, passed April tenth, eighteen hundred and fifty, report the same back, and recommend its indefinite postponement;

Also, Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, report the same back with amendments, and recommend that it be placed on file for a future day, and ordered printed;

Also, Senate bill No. 62, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto, report the same back without recommendation;

Also, Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino, report the same back without recommendation;

Also, Senate bill No. 18, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty, report the same back amended, and recommend its passage as amended;

Also, Senate bill No. 14, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty, report the same back amended, and recommend its passage as amended;

Also, Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty, report the same back amended, and recommend its passage as amended.

VAN DYKE, Chairman.

Senate bill No. 15, was, on motion of Mr. Van Dyke, placed on file for February eighteenth, and the usual number of copies ordered printed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Chamberlain, for an Act supplementary to an Act entitled an Act to authorize the County of San Joaquin to issue bonds for agricultural uses, approved February fifth, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and Forty-Fifth Rule suspended.

By Mr. Burnell, for an Act to amend an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty.

Read first and second times, and referred to the Judiciary Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 7th, 1863. }

MR. PRESIDENT:—The Assembly, yesterday, passed Senate bill No. 33, an Act to change the name of John Schlageter;

Also, on same day, passed Senate bill No. 41, an Act to amend an Act

entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof;

Also, on same day, passed Assembly bill No. 61, an Act to allow the County Clerk of Stanislaus County to reside out of the county;

Also, on same day, passed Assembly bill No. 121, an Act to amend an Act entitled an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto;

Also, on same day, concurred in Senate amendments to Assembly bill No. 36, an Act fixing the salaries and fees of certain officers in San Bernardino County;

Also, I am directed by the Assembly to present to the Senate the accompanying petition from citizens of Mendocino County, against the repeal of the township law of eighteen hundred and sixty-two, with the request that it be read in the Senate previous to final action on a bill now pending in the Senate for the repeal of said law.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Petition, above reported, placed on file with Senate bill No. 19, above referred to.

Senate bill No. 61, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 121, above reported, read first and second times, and referred to the Committee on Education.

RESOLUTIONS.

Mr. Perkins offered the following resolution :

Resolved, That the Select Committee appointed to inquire whether the Hon. Mr. Baker, a member of this body, "did, on or about the sixteenth of August, eighteen hundred and sixty-two, in a speech made at Visalia, utter any seditious language," be requested to inform the Senate what progress, if any, they have made in the investigation.

Laid on the table.

Mr. Perkins offered the following resolution :

Resolved, That the Chairman of the Joint Select Committee to investigate the transaction between the Treasurer of State and the Assistant Treasurer of the United States, in relation to the tender of "Legal Tender Notes," in payment of the State's quota of the Federal tax, be requested to inform the Senate what progress said Committee has made in said investigation.

Laid on the table.

Mr. Parks offered the following resolution :

Resolved, That the Committee on Claims be authorized to compute the

number of folios written pursuant to a resolution instructing the Copying Clerks to write and complete the Appendix to the Senate Journal, adopted May ninth, eighteen hundred and sixty-two.

Adopted.

Mr. Porter of Santa Cruz offered the following resolution :

Resolved, That William McCoy be and he is hereby appointed Assistant Porter of the Senate and Committee rooms, to date from the commencement of the session.

Adopted.

Senate bill No. 35 was taken from the table and placed on file.

GENERAL FILE.

Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty—read first and second times, usual number of copies ordered printed, and placed on top of file for Tuesday, February tenth.

Senate bill No. 35, an Act to legalize certain conveyances—amended, and made the special order for Saturday, February fourteenth.

At twelve o'clock and thirty minutes, p. m., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Monday, February 9th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmy.

Journal of Saturday read and approved.

Mr. Abell presented a petition from Charles B. Grant, relating to School Land Warrants.

Referred to the Committee on Claims.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred

Senate bill No. 85, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, have had the same under consideration, and recommend its passage ;

Also, Senate bill No. 84, an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two, and report the same back, with amendments, and recommend its passage as amended ;

Also, Senate bill No. 80, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and report the same back, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report :

MR. PRESIDENT:—The Committee on Contingent Expenses have examined, and found correct, the following bills :

For What.	Amounts.
Bill of C. A. Carolan, (for Sunday Mercury,).....	\$7 50
Bill of California Farmer.....	5 00
Bill of H. J. Bidleman, (for Alta California, Stockton Independent, California Express, El Dorado Times, North Pacific Record, Monitor, Mountain Democrat, News Letter, and Colusa Sun,).....	57 75
Bill of Solano Herald	12 00
Bill of Goodwin & Co.....	15 00
Bill of Maria Hasley, (for rent of committee rooms,)	43 68
Bill of George I. Lytle, (for sundries,).....	418 38
Total.....	\$559 31

The Committee recommend the adoption of the following resolution :

Resolved, That the Controller of State be and he is hereby required to draw his warrant in favor of the above parties for the several amounts, payable out of the Contingent Fund of the Senate.

POWERS, Chairman.

Adopted.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
February 7th, 1863. }

MR. PRESIDENT:—The Assembly this day concurred in Senate amend-

ment to Assembly bill No. 66, an Act to legalize the purchase of the building and lot, by the Board of Supervisors of San Bernardino County, of Charles Glasser, for a County Prison, and to set the same aside for a Court House;

Also, on the sixth of February, passed Assembly bill No. 120, an Act authorizing the Board of Supervisors of Sierra County to levy certain taxes for county purposes;

Also, this day, passed Assembly bill No. 71, an Act to authorize S. Spencer, T. B. Simpson, and their associates, to construct a toll bridge across the Yuba river, at or near Sand Flat, in Yuba County;

Also, this day, passed Senate bill No. 86, an Act supplementary to an Act entitled an Act to authorize the County of San Joaquin to issue bonds for agricultural uses, approved February fifth, eighteen hundred and sixty-three.

W. N. SLOCUM,

Assistant Clerk.

Assembly bill No. 120, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 71, above reported, read first and second times, and referred to the Yuba delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Bogart, for an Act exempting the Counties of San Diego and San Bernardino from the operation of the game law, passed May thirtieth, eighteen hundred and fifty-four, and amended April sixteenth, eighteen hundred and fifty-seven.

Read first and second times, and placed on file.

By Mr. Burnell, for an Act to define the boundary line between the Counties of Amador and El Dorado.

Read first and second times, and referred to the Amador and El Dorado delegations.

Mr. Harvey offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to furnish rooms for the Engrossing and Enrolling Clerks of the Senate, from the date of their occupancy.

Adopted.

Mr. Parks, from Joint Committee on Printing, reported that two hundred and forty copies of the State Prison Directors' report had been ordered printed in a previous report.

GENERAL FILE.

Senate bill No. 83, an Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one—bill amended, ordered engrossed, and read third time.

Senate bill No. 14, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty—amended, ordered engrossed, and read third time.

Senate bill No. 17, an Act to amend an Act entitled an Act concerning

the office of Controller, passed January nineteenth, eighteen hundred and fifty—amended, ordered engrossed, and read third time.

Senate bill No. 18, An Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty—amended, ordered engrossed, and read third time.

Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty—amended, ordered engrossed, and read third time.

Senate bill No. 46, an Act to amend an Act entitled an Act concerning wills, passed April tenth, eighteen hundred and fifty.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. Parks, Powers, and Higby, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Higby, Kutz, McCullough, Oulton, Pacheco, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Shurtleff, Van Dyke, and Whiting—22.

NOES—Messrs. Abell, Birdseye, Bogart, Booth, Holden, Lewis, Nixon, Parks, Perkins, Powers, and Wallis—11.

Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino—laid on the table.

Senate bill No. 82, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto—placed at top of file for to-morrow.

At twelve o'clock and thirty-five minutes, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 10th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Urmy.

Journal of yesterday read and approved.

Rules suspended and Assembly message taken up.

ASSEMBLY CHAMBER,
February 10th, 1863. }

MR. PRESIDENT:—The Assembly, this day, adopted Assembly concurrent resolution No. 18, concerning a Joint Convention of the two Houses for the election of a United States Senator.

W. N. SLOCUM,
Assistant Clerk.

Assembly concurrent resolution No. 18, above reported, concerning a Joint Convention of the two Houses, at twelve m., for the purpose of electing a United States Senator, adopted.

Mr. Birdseye presented a petition from citizens of Nevada, against the repeal of the attachment law.

Referred to the Judiciary Committee.

REPORTS.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 79, an Act to amend an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people;

Also, Senate substitute for Assembly bill No. 19, an Act to amend an Act concerning District Attorneys, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 71, an Act for the relief of Matthew Bird, report the omission of the words "People of the" in the enacting clause in said bill No. 71, and ask the unanimous consent of the Senate to amend the same.

BURNELL, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 89, an Act to amend an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty, having had the same under consideration, report it back, with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 61, an Act to allow the County Clerk of Stanislaus County to reside out of the county, report the same back, and recommend it be referred to the Fifth Senatorial delegation.

VAN DYKE, Chairman.

Assembly bill No. 61, an Act to allow the County Clerk of Stanislaus County to reside out of the county—amended, read third time, and passed.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:—The Committee on Corporations, to whom was referred Senate bill No. 75, entitled an Act in reference to corporations

organized in this State for the purpose of mining, have considered the same, report the bill back, and recommend its passage.

WHITTING, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—Your Committee on Commerce and Navigation, to whom was referred Senate bill No. 31, entitled an Act concerning trade marks, have had the same under consideration, and ask leave to report the same back, with an amendment, and recommend its passage as amended.

CLARK, Chairman.

Senate bill No. 31, above reported, made the special order for Tuesday, February seventeenth, at twelve, M., and the usual number of copies of the amendment ordered printed.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report :

MR. PRESIDENT :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 54, have had the same under consideration, and beg leave to report it back, and recommend its passage ;

Also, Senate bill No. 68, and report the same back without recommendation.

CAVIS, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 9th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 25, an Act to amend an Act, approved February nineteenth, eighteen hundred and fifty-seven, entitled an Act fixing the time of holding the several Courts authorized to be held by the County Judge of the County of Calaveras, and to change the manner of summoning a jury for the County Courts of said county, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, Senate bill No. 24, an Act to legalize the assessments made in the County of Calaveras.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER, }
February 9th, 1863. }

MR. PRESIDENT :—The Assembly, on the seventh instant, passed Senate bill No. 36, an Act to amend an Act entitled an Act creating the office of Township Collector and Assessor in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two ;

Also, on same day, passed Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo, outstanding on the first day of July, eighteen hundred and sixty-three;

Also, on same day, amended and passed Senate bill No. 60, an Act to grant to Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes river, in the Counties of Amador and El Dorado;

Also, on the sixth instant, passed Assembly bill No. 32, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one;

Also, on February seventh, passed Assembly bill [No.] 92, an Act to provide for special elections for Superintendent of Public Instruction and judicial officers;

Also, on same day, passed Assembly bill [No.] 39, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to provide revenue for the support of the Government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, approved April nineteenth, eighteen hundred and fifty-nine.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 39, above reported, read first and second times, and made the special order for Thursday, February twelfth, at twelve o'clock, M.

Assembly bill No. 32, above reported, read first and second times, and referred to the Committee on State Library.

Assembly bill No. 92, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 60, with amendments, above reported, amendments concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Oulton, for an Act to provide for the improvement and protection of the wharves, docks, and water fronts, in the City and County of San Francisco.

Read first and second times, usual number of copies ordered printed, and referred to the Committee on Commerce and Navigation.

By Mr. Higgins, for an Act to repeal an Act for the relief of insolvent debtors, and protection of creditors, and of all laws amendatory thereof or supplementary thereto.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend the Civil Practice Act of this State in relation to attachments.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Quint, for an Act to construct a turnpike between Chinese

Camp, in the County of Tuolumne, and the town of Aurora, in the County of Mono.

Read first and second times, and the bill, with accompanying petition, referred to the Tuolumne delegation.

By Mr. Nixon, for an Act to provide a special fund for the construction of the State Capitol building in the City of Sacramento.

Read first and second times, and referred to the Committee on Public Buildings.

On motion, a recess of ten minutes was taken.

SENATE RE-ASSEMBLED.

Senate called to order.

Roll called.

Absent—Messrs. Abell and Baker.

MESSAGES FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 10th, 1863. }

MR. PRESIDENT:—The House is now ready to meet the Senate in Joint Convention, in the Assembly Chamber, for the election of a United States Senator.

W. N. SLOCUM,
Assistant Clerk.

In pursuance of the above message, the Senate proceeded to the Assembly Chamber for the purpose therein named.

IN JOINT CONVENTION.

Lieutenant-Governor Chellis, President of the Senate, and Hon. T. N. Machin, Speaker of the House, presiding.

Senate roll called.

Absent—Messrs. Abell and Doll.

House roll called.

Absent—Messrs. Robertson and Yule.

Assembly concurrent resolution No. 18, concerning a Joint Convention of both Houses, at twelve o'clock, m., for the election of a United States Senator for six years from the fourth of March next, was read.

Nominations being in order, Mr. Sanderson of El Dorado nominated the Hon. John Conness.

Mr. Quint of Tuolumne nominated the Hon. Benjamin Shurtleff.

There being no further nominations, the roll was called, with the following result:

Names.	Conness.	Shurtleff.	Hoge.
Anderson.....	1		
Baker		1	
Birdseye	1		
Bogart		1	
Booth	1		
Burnell.....	1		
Cavis	1		
Chamberlain	1		
Clark.....	1		
Crane	1		
Cunningham	1		
Gaskill.....	1		
Harriman	1		
Harvey	1		
Hathaway.....	1		
Higby	1		
Higgins.....	1		
Holden.....		1	
Kutz.....	1		
Lewis.....		1	
McCullough.....	1		
McNabb.....	1		
Nixon	1		
Oulton	1		
Pacheco.....	1		
Parks	1		
Perkins.....	1		
Porter of Contra Costa.....	1		
Porter of Santa Cruz.	1		
Powers	1		
Quint.....		1	
Saxton.....	1		
Shannon	1		
Shurtleff			1
Van Dyke.....	1		
Vineyard		1	
Wallis	1		
Whiting.....	1		
Adams.....	1		
Adkison.....	1		
Allen		1	
Ames	1		
Andrews.....		1	
Banks.....	1		
Barclay.....	1		
Barstow.....	1		
Barton.....	1		
Beeson.....	1		
Blanchard.....	1		
Burr.....	1		
Butler.....	1		

Names.	Conness.	Shurtleff.	Hoge.
Castro.....	1		
Chappell.....	1		
Clark.....	1		
Collins.....	1		
Crawford.....	1		
Deeth.....	1		
Denniston.....	1		
Dodge.....	1		
Dore.....	1		
Dudley of Placer.....		1	
Dudley of Solano.....	1		
Duncombe.....	1		
Dunne.....	1		
Estee.....	1		
Farley.....	1		
Fitch.....	1		
Freeman.....		1	
Gunnison.....	1		
Herrington.....	1		
Hartson.....	1		
Haswell.....	1		
Hill.....	1		
Howell.....	1		
Irwin.....		1	
Johnson.....	1		
Kewen.....		1	
Keys.....	1		
Kincaid.....	1		
Lux.....	1		
Martin.....	1		
McDonald.....		1	
Moore.....	1		
Meyers.....	1		
Orr.....	1		
Owen, J. J.....	1		
Owen, J. W.....	1		
Palmer.....	1		
Patten.....	1		
Personette.....	1		
Redfield.....	1		
Rider.....	1		
Robinson.....	1		
Rule.....	1		
Sanderson.....	1		
Sargent.....	1		
Scott.....	1		
Scars.....	1		
Simpson.....	1		
Smith of Butte.....	1		
Smith of Sierra.....	1		
Sutton.....	1		

Names.	Conness.	Shurtleff.	Hoge.
Swift.....	1		
Torrance.....	1		
Varney.....		1	
Warwick.....	1		
Watson.....		1	
Wheaton.....	1		
Whipple.....	1		
Wilcox.....	1		
Willson.....	1		
Wright of Contra Costa.....	1		
Wright of Del Norte.....	1		
Mr. Speaker.....	1		
Totals.....	98	15	1

Whole number of votes 114

Necessary for a choice..... 58

John Conness received ninety-eight votes.

Benjamin Shurtleff received fifteen votes.

J. P. Hoge received one vote.

Mr. Conness, having received a majority of all the votes cast, was declared, by the Chairman, duly elected United States Senator from California, for six years from the fourth of March next.

The minutes of the Joint Convention were then read and approved.

The object of the Convention having been accomplished, it adjourned sine die.

The President and Senators then proceeded to the Senate chamber.

IN SENATE.

At twelve o'clock and thirty-five minutes, P. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 11th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Rev. Mr. Urmy.

Indefinite leave of absence was granted to Messrs. Abell, and Porter of Contra Costa; and to Mr. Pacheco until Monday, February sixteenth.

Journal of yesterday read and approved.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Burnell, for an Act to suspend an Act entitled an Act to provide for the collection and payment of the quota of the direct tax apportioned to this State by an Act of Congress, entitled an Act to provide increased revenue from imports to pay interest on the public debt, and for other purposes, passed August fifth, eighteen hundred and sixty-one, approved April twelfth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Finance Committee.

By Mr. Bogart, for an Act for the relief of the indigent suffering from the small pox in the County of San Diego.

Rules suspended, and bill considered now, read first and second times, and accompanying petition read.

A motion was made to refer the bill and petition to a Special Committee of three.

Lost.

On the motion to indefinitely postpone the whole matter, the ayes and noes were demanded, by Messrs. Crane, Bogart, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Birdseye, Clark, Cunningham, Harriman, Harvey, Higby, Higgins, Kutz, McCullough, Nixon, Oulton, Perkins, Shannon, and Wallis—14.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Burnell, Cavis, Crane, Holden, Lewis, Parks, Porter of Santa Cruz, Powers, Quint, Saxton, Van Dyke, and Whiting—16.

Placed on top of the file for to-morrow.

By Mr. Holden, for an Act to establish an Agricultural and Mechanical Arts College in Napa County.

Read first and second times, referred to the Committee on Education, and the usual number of copies ordered printed.

By Mr. Crane, for an Act to improve the navigation of the San Antonio creek.

Read first and second times, referred to the Committee on Commerce and Navigation, and the usual number of copies ordered printed.

By Mr. Whiting, for an Act in relation to the Exempt Fire Company of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Shannon, for an Act concerning the office of County Assessor for Butte County.

Read first and second times, and placed at top of file for to-morrow.

By Mr. Clark, for an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-

eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the San Francisco delegation.

Also, for an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor and Treasurer, of the City and County of San Francisco; also amendatory of an Act, approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors and Auditor and County Treasurer, of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March thirtieth, eighteen hundred and sixty.

Read first and second times, and referred to the San Francisco delegation.

Also for an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning the receipts and expenditures of the State, passed February seventh, eighteen hundred and fifty seven.

Read first and second times, and placed on file.

Also, for an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty.

Read first and second times, and placed on file.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment made the following report:

Mr. President:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County;

Also, Senate bill No. 33, an Act to change the name of John Schlageter;

Also, Senate bill No. 44, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto;

Also, Senate bill No. 45, an Act to amend section one of an Act, approved March thirteenth, eighteen hundred and sixty-two, entitled an Act to transcribe certain records of the County of Shasta;

Also, Senate bill No. 48, an Act to amend section one of an Act, approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the county records of the County of Trinity;

Also, Senate bill No. 62, an Act to amend an Act relative to Public Administrators in certain counties.

HIGGINS, Chairman.

Mr. Shannon, to whom was referred Senate bill No. 30, reported a substitute, and recommended its passage.

Senate bill No. 30, above reported, was taken up.

Substitute amended and adopted, rules suspended, bill considered engrossed, read third time, and passed.

GENERAL FILE.

Senate bill No. 82, an Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereof—placed at top of file for Thursday next, February nineteenth.

Senate bill No. 89, an Act exempting the counties of San Bernardino and San Diego from the operation of the game law, passed May thirtieth, eighteen hundred and fifty-four, and amended April sixteenth, eighteen hundred and fifty-seven—amended, ordered engrossed, and read third time.

Senate bill No. 85, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—ordered engrossed, and read third time.

Senate bill No. 84, amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two—amended, ordered engrossed, and read third time.

Senate bill No. 80, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—substitute adopted, ordered engrossed, and read third time.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 11th, 1863. }

MR. PRESIDENT:—The House, this day, passed Assembly concurrent resolution No. 20, concerning leave of absence to the District Attorney of El Dorado County.

W. N. SLOCUM,
Assistant Clerk.

Assembly concurrent resolution No. 20, above reported, adopted.

GENERAL FILE RESUMED.

Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in the County of San Luis Obispo—placed at bottom of the file.

Senate bill No. 75, an Act in reference to corporations organized in this State for the purpose of mining—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 54, an act to authorize the Board of Supervisors of Trinity County to levy a toll on certain roads in said county—read third time, and passed.

Senate substitute for Assembly bill No. 19, an Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies, to the District

Attorneys of the Counties of Tulare, Klamath, Del Norte, Los Angeles, Santa Clara, and El Dorado—passed.

Substitute for Senate bill No. 87, an Act to amend an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty—amended, rules suspended, considered engrossed, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Parks, for an Act explanatory of and supplementary to an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Finance Committee.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 7th, 1863. }

To the Honorable the Senate of California:

I have the honor to acknowledge the receipt of Senate resolution, adopted February fifth, eighteen hundred and sixty-three, calling upon the Governor "to inform the Senate whether he has received any official communication from General Wright touching the declaration of martial law in Round Valley, and if so, to furnish the Senate with copies thereof, and also communicate all other information his Excellency may have in his possession in reference to the issuance of said order, and what has been done under the same." In reply, I have to inform your honorable body that I have received no official information from General Wright touching the declaration of martial law in Round Valley, and that I have no information in my possession in reference to the issuance of said order, and that I am not informed of what, if anything, has been done under said order. And further, I have no information touching the subject matter of your resolution, other than what I have gathered from rumor and the public prints. I addressed no communication to General Wright upon the subject, for the reason that it appeared, from the terms of the proclamation issued by the commander of the military forces of the United States on this coast, as published in the newspapers of the day, that the order applied solely to the United States Reservation situated in Round Valley, over which the Federal Government has exclusive and supreme jurisdiction.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
February 10th, 1863. }

MR. PRESIDENT:—The^e Assembly, February ninth, passed Senate bill No. 65, an Act to repeal an Act entitled an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, Anno Domini eighteen hundred and sixty-two, and to revive an Act entitled an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, Anno Domini eighteen hundred and fifty-seven;

Also, same day, passed Senate bill No. 77, an Act to separate the office of Collector of Taxes from the office of Sheriff of the County of Trinity;

Also, same day, passed Assembly bill No. 82, an Act concerning Courts of Justice in certain cases;

Also, same day, passed Assembly bill No. 122, an Act empowering the Board of Supervisors in the several counties of this State to authorize the removal of human remains;

Also, same day, passed Assembly bill No. 139, an Act to legalize and provide for the collection of delinquent taxes in the several counties of this State;

Also, same day, adopted Assembly concurrent resolution No. 11, authorizing the Sergeant-at-Arms to send printed bills to the Governor;

Also, same day, passed Assembly bill No. 64, an Act creating a Current Expense Fund for the County of Mono;

Also, same day, passed Assembly bill No. 99, an Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
February 11th, 1863. }

MR. PRESIDENT:—The House, yesterday, passed Assembly concurrent resolution No. 19, concerning leave of absence to the County Clerk of the County of Los Angeles;

Also, on February ninth, eighteen hundred and sixty-three, passed Assembly bill No. 134, an Act to authorize the Board of Supervisors of Tulare County to annul certain bonds;

Also, on same day, the Assembly passed Assembly bill No. 136, an Act to authorize the Board of Supervisors of the County of Merced to levy an additional tax for county purposes.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
February 11th, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 138, above reported, read first and second times, and referred to the Mendocino delegation.

Assembly bill No. 134, above reported, read first and second times, and referred to Tulare delegation.

Assembly bill No. 136, above reported, read first and second times, amended, rules suspended, considered engrossed, read third time, and passed.

Assembly concurrent resolution No. 19, above reported, adopted.

Assembly bill No. 99, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 64, above reported, read first and second times, and referred to the Tuolumne delegation.

Assembly bill No. 139, above reported, read first and second times, and referred to the Committee on Finance.

Assembly bill No. 122, above reported, read first and second times, and placed on file.

Assembly bill No. 82, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly concurrent resolution No. 17, above reported, adopted.

At thirty minutes past two o'clock, P. M., on motion of Mr. Powers, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,)
Thursday, February 12th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Benton.

Journal of yesterday read and approved.

Mr. Harriman was granted three days leave of absence, and Mr. Saxton indefinite leave.

The following communication was received from the Controller of State:

STATE OF CALIFORNIA,)
Office of Controller of State. }

To the Honorable the Senate of California:

In compliance with a resolution of the Senate, adopted January fifteenth, eighteen hundred and sixty-three, and communicated to me on the twenty-ninth of said month, requesting the Controller of State "to report to the Senate the amount of money received into the State Treasury belonging to the Seminary Fund, and what amount, if any, has been invested in State bonds, and placed to the credit of said Fund, from the

passage of the Act creating the said Fund up to this date," I have the honor to report that the total amount paid into the State Treasury, and apportioned to the Seminary Fund, from the passage of the Act creating said Fund to date, is the sum of five hundred and seventy dollars and fifty-nine cents, (\$570 59) and that no part of said amount has ever been invested in State bonds, and placed to the credit of said Fund.

There was no Seminary Land Fund account opened upon the books of the Controller's office until the sixteenth of May, eighteen hundred and sixty-two; the money previously accruing from sales of Seminary Lands was placed in the State School Land Fund.

The Act providing for the Seminary Fund seems to require the Board of Examiners, whenever there has accrued in said Fund the sum of ten thousand dollars, to advertise for the purchase of State bonds, etc.; but as that sum has never yet accrued to said Fund, the Board of Examiners have probably not considered it their duty to purchase bonds with the small amount which has heretofore been received into said Fund.

Respectfully submitted,

G. R. WARREN,
Controller.

SACRAMENTO, February 12th, 1863.

The above communication was referred to the Finance Committee.

Mr. Doll presented a petition from the Board of Supervisors of Tehama County, relative to the Hospital Fund of said county.

Referred to the Hospital Committee.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 94, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, having had the same under consideration, report it back, and recommend that it do not pass;

Also, Senate bill No. 47, an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, report the same back, with a substitute, and recommend its reference to the delegations from the counties included in the substitute;

Also, Senate bill No. 38, an Act to amend section one hundred and ninety-eight of an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, A. D. eighteen hundred and fifty-one, report the same back, and recommend that it do not pass.

VAN DYKE, Chairman.

Senate bill No. 47, above reported, was referred as recommended.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 83, an Act to amend an Act

entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one;

Also, Senate bill No. 18, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty;

Also, [Senate bill No. 14,] an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty;

Also, Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty.

BURNELL, Chairman.

Mr. Baker made the following report :

MR. PRESIDENT :—The Special Committee, to whom was referred Assembly bill No. 134, have had the same under consideration, and report the same back to the Senate, and recommend its passage.

BAKER.

Mr. Quint made the following report :

MR. PRESIDENT :—The undersigned has had under consideration Senate bill No. 95, an Act to grant the right to construct a turnpike road between Chinese Camp, Tuolumne County, and Aurora, in Mono County, and reports the same back, and recommends its passage.

QUINT.

Mr. Booth introduced a bill for an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin river, in Fresno County, to J. B. Marshall, and his associates and assigns.

Read first and second times, and referred to the delegation from Fresno County.

Mr. Shannon offered concurrent resolution relative to adjourning until February seventeenth, eighteen hundred and sixty-three.

Adopted.

GENERAL FILE.

Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty—substitute adopted, amended, and ordered engrossed.

Senate bill No. 195, an Act concerning the office of County Assessor for Butte County—rules suspended, bill considered engrossed, read third time, and passed, and the Forty-Fifth Rule suspended.

Senate bill No. 99, placed at top of file for Tuesday, February seventeenth.

Mr. Perkins, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :—The Finance Committee, to whom was referred Senate bill No. 7, an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide reve-

nue for the support of the government of the State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two, have had the same under consideration, report the same back, and recommend its passage;

Also, have had under consideration Senate bill No. 59, an Act amendatory of and supplementary to an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty, and report back a substitute, and recommend the passage of the substitute.

PERKINS, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 12th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, concurred in Senate concurrent resolution No. 15, relative to adjourning until February seventeenth.

W. N. SLOCUM,
Assistant Clerk.

Senate bill No. 101, pending the consideration of which, the Senate, at one o'clock, p. m., on motion of Mr. Bogart, adjourned.

J. F. CHELLIS,
President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 17th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Messrs. Perkins and Baker were granted one day leave of absence.

Journal of Thursday last read and approved.

Mr. Chamberlain presented a petition from the Common Council of the City of Stockton, asking the passage of a law allowing said Common Council to transfer to the State certain lands.

Referred to the Committee on Hospitals.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Shurtleff, for an Act to authorize the Board of Supervisors of Trinity County to levy a tax for a County Building Fund.

Read first and second times, and placed on file.

By Mr. Porter of Contra Costa, for an Act to levy and collect a tax upon Fire Insurance Companies, for the benefit of the Fire Department Charitable Fund.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Harvey, for an Act to define the boundary of El Dorado County.

Read first and second times, and referred to the El Dorado and Placer delegations.

By Mr. Van Dyke, for an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Chamberlain, for an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city, and to donate the same to the State.

Read first and second times, and referred to the Committee on Hospitals.

Mr. Porter of Contra Costa offered a concurrent resolution relative to printed numbers of the Surveyor-General's report.

Adopted.

GENERAL FILE.

Senate bill No. 102, an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty—ordered engrossed.

Assembly bill No. 122, an Act empowering the Board of Supervisors in the several counties in this State to authorize the removal of human remains—read third time, and passed.

Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers—amended in Committee of the Whole, and the amendments concurred in, and placed at top of the file for to-morrow.

At ten o'clock and fifty minutes, P. M., on motion of Mr. Lewis, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 18th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

REPORTS.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. PRESIDENT :—Your Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Salt Marsh, and Tide Lands, have had the same under consideration, and beg leave to report the same back, and recommend its passage, without amendment.

HARVEY, Chairman.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 43, an Act supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, A. D. eighteen hundred and sixty-two, and that the same was delivered to the Governor for his approval on the seventeenth day of February, eighteen hundred and sixty-three, at one o'clock and ten minutes, P. M., and that on the eleventh day of February, eighteen hundred and sixty-three, at eleven o'clock and forty-five minutes, A. M., Senate bills Nos. 29, 33, 44, 45, 48, and 62, were delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 114, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, having had the same under consideration, report it back, and recommend its passage ;

Also, Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, report the same back, with amendments, and recommend its passage, as amended ;

Also, Assembly bill No. 92, an Act to provide for special elections for Superintendent of Public Instruction, and judicial officers, report the same back, with amendments, and recommend its passage, as amended.

VAN DYKE, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 84, entitled an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two ;

Also, substitute for Senate bill No. 87, an Act to repeal section second of an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty;

Also, Senate substitute for Assembly bill No. 31, an Act to amend an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six;

Also, Senate bill No. 75, an Act in reference to corporations organized in the State for the purpose of mining.

BURNELL, Chairman.

Mr. Clark made the following report:

MR. PRESIDENT:—The San Francisco delegation, to whom was referred Senate bills Nos. 103, 104, and 106, have had the same under consideration and beg leave to report the same back with amendments, and recommend the passage of each bill as amended.

CLARK, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 11th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 29, an Act to provide for the construction of a wagon and turnpike road in Mariposa County.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, }
February 12th, 1863. }

MR. PRESIDENT:—The Assembly, on the ninth instant, passed Assembly bill [No.] 126, an Act to consolidate the School Funds of the City of San José;

Also, on the eleventh instant, passed Assembly bill No. 125, an Act to amend the twenty-first section of an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one;

Also, on the seventeenth instant, passed Senate bill No. 105, an Act concerning the office of County Assessor for Butte County;

Also, this day, concurred in Senate concurrent resolution No. 16, relative to the State Printer furnishing the Surveyor-General with copies of his report;

Also, this day, passed, with amendments, Senate bill No. 61, an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, amended March twentieth, eighteen hundred and fifty-eight.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 125, above reported, read first and second times, and referred to Committee on Roads and Highways.

Assembly bill No. 126, above reported, read first and second times, and referred to Santa Clara delegation.

Assembly amendments to Senate bill No. 61, above reported, concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Higby, for an Act providing for the time of holding Court in the Sixteenth Judicial District.

Read first and second times, and referred to delegation from Sixteenth Judicial District.

Also, for an Act to amend an Act entitled an Act in relation to public roads in the County of Calaveras, and to the Road Fund of said county, approved April tenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Calaveras delegation.

By Mr. Shurtleff, for an Act concerning records of District Courts.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Burnell, for an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne river, in the Counties of Calaveras and Amador.

Read first and second times, and referred to the Amador and Calaveras delegations.

By Mr. Quint, for an Act to provide for the payment of the indebtedness of Stanislaus County to Tuolumne County.

Read first and second times, and placed on file.

By Mr. Perkins, for an Act amendatory of section sixty-one of an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Booth, for an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes.

Read first and second times, and referred to the Sacramento delegation.

By Mr. Vineyard, for an Act authorizing the Board of Supervisors for Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Anna Eagle and Marble Mines Road.

Read first and second times, and placed at top of the file for Tuesday, February twenty-fourth, eighteen hundred and sixty-three.

Mr. McNabb gave notice that he would, at an early day, introduce a bill to authorize the Supervisors of Sonoma County to levy a special tax for road purposes.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined Senate bill No. 89, entitled an Act exempting the Counties of San Diego and San Bernardino from the operation of the game law, passed May

thirtieth, eighteen hundred and fifty-four, and amended April fifteenth, eighteen hundred and fifty-seven, and find the enacting clause, omitted in the original bill, inserted in engrossed copy; also, amendment to section one, adopted as amendment to section two, correct in copy. No further omissions or commissions noticed in this bill;

Also, Senate bill No. 85, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

BURNELL, Chairman.

GENERAL FILE.

Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject—amended, ordered engrossed, and read third time.

Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers—amended, and ordered to top of file for Friday, February twentieth.

At one o'clock and fifty minutes, p. m., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Thursday, February 19th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

The following communication was received through the Chair:

SAN FRANCISCO,

February 18th, 1863. }

To Lieutenant-Governor Chellis, President of the Senate:

I am instructed by the Executive Committee of the Broderick Monument Fund, to extend through you to the members of the Senate an invitation to participate in the ceremonies of laying the corner stone of the Broderick Monument, which will take place in this city on Monday, the twenty-third instant.

Very respectfully,

Your obedient servant,

JOHN P. BUCKLEY.

Secretary Broderick Monument Fund.

REPORTS.

Mr. Shurtleff, Chairman of the Committee on Mileage, made the following report :

MR. PRESIDENT :—The undersigned is directed by the Committee on Mileage to report eighteen dollars due Messrs. Hathaway, Chamberlain, Gaskill, McNabb, and Shurtleff, each, as mileage for traveling to and from the State Insane Asylum at Stockton, while in the performance of committee duties. The Committee therefore recommend the adoption of the accompanying resolution :

Resolved, That eighteen dollars, payable out of the Contingent Fund of the Senate, be allowed to Messrs. Hathaway, Chamberlain, Gaskill, McNabb, and Shurtleff, each, as mileage, while in the discharge of committee duties.

SHURTLEFF, Chairman.

Adopted.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate substitute for Senate bill No. 80, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate substitute for Assembly bill No. 31, an Act supplementary to an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty ;

Also, Senate bill No. 102, an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty.

KUTZ, for Committee.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof, having had the same under consideration, report it back, with amendments, and recommend its passage, as amended ;

Also, Senate bill No. 92, an Act to repeal an Act for the relief of insolvent debtors and protection of creditors, and of all laws amendatory thereof or supplementary thereto, report the same back, without recommendation ;

Also, Senate bill No. 51, an Act relating to lands owned or claimed by tenants in common, report the same back, and recommend that it do not pass ;

Also, Senate bill No. 108, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth,

eighteen hundred and fifty, report the same back, with amendments, and recommend its passage, as amended ;

Also, Senate bill No. 16, an Act supplementary to and amendatory of an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, report the same back, and recommend it do not pass ;

Also, Senate bill No. 66, an Act to create a Probate Court in the City and County of San Francisco, and to provide for the organization of the same, report the same back, and recommend that it do not pass.

VAN DYKE, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Senate bill No. 49, being the claim of J. C. Doherty, for supplies furnished the State in eighteen hundred and fifty-six, amounting to eight hundred and thirty-five dollars, and report the same back, with a substitute bill, and recommend the passage of the substitute ;

Also, Senate resolution in regard to compensation for folios written for the Senate after the last session, in the Appendix thereof, and find that the number of folios are six thousand six hundred and seventy, which, at fifteen cents per folio, amounts to one thousand dollars and fifty cents.

OULTON, Chairman.

Mr. Nixon, Chairman of the Committee on Public Buildings, made the following report :

MR. PRESIDENT :—A majority of your Committee on Public Buildings, to whom was referred Senate bill No. 93, an Act to provide a special fund for the construction of the State Capitol, in the City of Sacramento, having had the same under consideration, report it back, with amendments, and recommend its passage as amended.

NIXON, Chairman,
SHANNON,
HARRIMAN,
POWERS.

Mr. Hathaway made the following report :

MR. PRESIDENT :—The Hospital Committee, to whom was referred Senate bill No. 115, have had the same under consideration, and ask leave to report the same back, and recommend its passage.

HATHAWAY, for Committee.

Mr. Hathaway made the following report :

MR. PRESIDENT :—The Hospital Committee, to whom was referred the memorial of the Supervisors of the County of Tehama, have had the same under consideration, and ask leave to report the same back, with the recommendation that it be referred to the Tehama delegation.

HATHAWAY, for Committee.

• Mr. Baker made the following report :

Mr. PRESIDENT:—The Special Committee, to whom was referred Senate bill No. 109, an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin river, in Fresno County, have had the same under consideration, and report it back, and recommend its passage.

BAKER, for Committee.

Mr. Quint made the following report :

Mr. PRESIDENT:—The undersigned has had under consideration Assembly bill No. 64, and reports the same back, and recommends its passage.

QUINT.

Mr. Holden made the following report :

Mr. PRESIDENT:—The delegation from Mendocino, to whom was referred Assembly bill No. 138, has had the same under consideration, and submits the following report :

The bill is amendatory of and supplemental to an Act passed April nineteenth, eighteen hundred and sixty-two, providing for funding the indebtedness of Mendocino County ; which Act constituted the Auditor, County Treasurer, and District Attorney of said county, a Commission to fund said indebtedness ; the Chairman of the Board of Supervisors of said county being required, in his official capacity, to sign the bonds. Under and by virtue of that Act, the Auditor, Treasurer, and Chairman of the Board of Supervisors, met on the first day of November, as required by the Act, notice having been given as required by law, and proceeded to fund the indebtedness and issue bonds for county warrants in accordance with the Act.

The three months in which said Commission was required to fund the indebtedness having expired, and the indebtedness having been funded, the Commission, on the thirty-first of January, A. D. eighteen hundred and sixty-three, adjourned sine die.

The District Attorney, one of the Commissioners named in the Act, it appears was present but a small portion of the time the indebtedness was being funded.

A bill has already passed, and is now in the hands of the Governor for his signature, making valid and binding the bonds issued by the Commission.

So far as your Committee is informed, there are no warrants now outstanding against the county to be funded, the Commission having been kept open for three months, and all legal warrants presented to said Commission having been funded and indorsed redeemed by the Treasurer, as the funding Act requires.

Assembly bill No. 138, under consideration, increases the Commission from three to five, and extends the time for funding until the first of June, eighteen hundred and sixty-three.

Section eight of the Act of eighteen hundred and sixty-two required the warrants, when redeemed, to be cancelled, so that they could not be re-issued or again put in circulation. Then, if the warrants have been already cancelled, and there are no outstanding warrants against the county to be funded, there will be nothing for the Commission to do, and if so, why revive and increase the Commission ?

Assembly bill [No.] 138 extends the time for funding *nothing*, three months ; requires five Commissioners and the Chairman of the Board of Supervisors to meet twice a month for three months, at the Treasurer's office in Ukiah City, to do nothing.

If they meet under and by virtue of this bill, as they will be required to do, they must be paid by the County. This, your Committee deems an unnecessary burden upon the tax payers of Mendocino County, money expended to pay officers for doing nothing.

Therefore, your Committee recommend that the bill do not pass.

HOLDEN, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Kutz, for an Act concerning roads and highways in the County of Nevada.

Read first and second times, and referred to the Nevada delegation.

By Mr. Wallis, for an Act to amend an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine.

Read first and second times, and referred to the Santa Clara delegation.

By Mr. Clark, for an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Parks, for an Act amendatory of and supplemental to an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties on the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight.

Read first and second times, referred to the Committee on Claims, and ordered printed.

By Mr. Higgins, for an Act to authorize the State to assist in the construction of a railroad to connect the State of Oregon with the Central Pacific Railroad, and to create a debt for that purpose.

Read first and second times, and referred to the Committee on Finance.

By Mr. Harriman, for an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital.

Read first and second times, and placed on file.

RESOLUTIONS.

Mr. Shannon offered a concurrent resolution relative to the currency of the State.

Read first and second times, and referred to the Committee on Finance.

Mr. Oulton offered the following resolution:

Resolved, That the Secretary of the Senate be directed to inform the Secretary of State that the number of folios written in the Appendix to Senate Journal, by the Copying Clerks of the Senate, after the adjournment of the last Legislature, is six thousand six hundred and seventy, which, at fifteen cents per folio, amounts to one thousand dollars and fifty cents.

Adopted.

GENERAL FILE.

Senate bill No. 99, an Act for the relief of the indigent sufferers from the small pox in the County of San Diego.

Upon ordering the bill engrossed, the ayes and noes were demanded, by Messrs. Shannon, Powers, and Burnell, and taken, with the following result:

AYES—Messrs. Baker, Bogart, Booth, Burnell, Cavis, Crane, Doll, McNabb, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Quint, Shurtleff, Van Dyke, Vineyard, and Whiting—17.

NOES—Messrs. Birdseye, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, Nixon, Oulton, Perkins, Powers, Shannon, and Wallis—18.

Mr. Shannon gave notice of reconsideration.

Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 18, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty-one—read third time, and passed.

Senate bill No. 14, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 83, an Act to amend an Act entitled an Act concerning County Records, passed March twenty-sixth, eighteen hundred and fifty-one—read third time, and passed.

Senate bill No. 59, an Act amendatory of and supplementary to an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty—substitute adopted, and Senate refused to order engrossed.

Senate bill No. 95, an Act to grant the right to construct a turnpike between Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono—amended, ordered engrossed, and read third time.

Senate bill No. 82, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto.

On the engrossment of the bill, the ayes and noes were demanded, by Messrs. Crane, Burnell, and Higby, and taken, with the following result:

AYES—Messrs. Birdseye, Burnell, Gaskill, Harriman, Higgins, Holden, McNabb, Quint, Shannon, Van Dyke, Vineyard, and Wallis—12.

NOES—Messrs. Baker, Booth, Cavis, Chamberlain, Clark, Crane, Cunningham, Harvey, Hathaway, Higby, Lewis, McCullough, Nixon, Oulton, Pacheco, Parks, Porter of Santa Cruz, and Shurtleff—18.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 19th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Senate bill No. 69,

an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April eighteenth, eighteen hundred and fifty;

Also, this day, passed Assembly concurrent resolution No. 25, adopting an additional Joint Rule, in which they ask the concurrence of the Senate.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
February 19th, 1863. }

MR. PRESIDENT:—The Assembly, yesterday, adopted a substitute for Senate concurrent resolution No. 10, relative to the Miranda claim to the Rancho Arroyo de San Antonio, and ask the Senate to concur in the action of the Assembly;

Also, adopted Assembly concurrent resolution No. 26, relative to the establishment of a weekly mail;

Also, passed Assembly bill [No.] 145, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof;

Also, passed Assembly bill No. 70, an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Senate concurrent resolution No. 10, above reported, ordered to top of file for to-morrow.

Assembly bill No. 145, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 70, above reported, read first and second times, and referred to the Finance Committee.

Assembly concurrent resolution No. 26, above reported, read first and second times, and referred to Committee on Federal Relations.

On motion of Mr. McNabb, Senate bill No. 35, an Act to legalize certain conveyances, was taken from unfinished business, and placed second on file, for to-morrow, February twentieth.

Mr. Crane introduced a bill for an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto.

Read first and second times, referred to Judiciary Committee, and ordered printed.

Mr. Higby made the following report :

MR. PRESIDENT:—The Calaveras delegation have had under consideration Senate bill No. 123, and return the same, and recommend its passage.

HIGBY, for Delegation.

Mr. Lewis made the following report :

MR. PRESIDENT:—The delegation from Amador and Calaveras have considered Senate bill No. 118, an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne River, in the Counties of Calaveras and Amador, and recommend its passage.

LEWIS, for Delegation.

At three o'clock and twenty minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, February 20th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

REPORTS.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 125, an Act to amend the twenty-first section of an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one, having had the same under consideration, beg leave to report the same back, with an amendment, and recommend its passage as amended.

CAVIS, Chairman.

Mr. Wallis made the following report:

MR. PRESIDENT:—The Santa Clara delegation, having had under consideration Senate bill No. 126, an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, beg leave to report the same back, and recommend its passage.

WALLIS, for Delegation.

Mr. Burnell made the following report:

MR. PRESIDENT:—The El Dorado and Amador delegations report Sen-

ate bill No. 88, with amendments, and recommend its passage as amended.

BURNELL, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton, for an Act for the relief of A. M. Rosborough.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act for the relief of Franklin A. Rogers.

Read first and second times, and, with accompanying petition, referred to the Judiciary Committee.

By Mr. Chamberlain, for an Act to authorize the Board of Supervisors of Stanislaus County to appropriate the sum of two thousand one hundred and eighteen dollars, to pay the claim of George E. Drew, for surveying the boundary lines of a portion of San Joaquin County annexed to Stanislaus County.

Read first and second times, and referred to the Committee on Claims.

By Mr. Quint, for an Act to amend an Act to provide revenue for the support of the government of this State, passed April thirtieth, eighteen hundred and sixty.

Read first and second times, and referred to the Finance Committee.

RESOLUTIONS.

Mr. Higby offered the following resolution:

WHEREAS, Our country is in the midst of a civil war of great magnitude, putting to the severest test the institutions upon which the Government is founded; a war in which rebellion has drawn to its standard powerful armies, composed of those who should be obedient citizens, and invited to aid in its infamous purposes the armed intervention of foreign nations; therefore,

Resolved, In order that the State of California may be fully prepared to repel successfully any and all assaults of both domestic and foreign foes, the present Legislature should do all in its power to place the military of the State upon a war footing;

Resolved, That the Committee on Military Affairs be instructed to report to the Senate, at as early a day as possible, the necessary steps to be taken to provide the State with the proper military defences.

Referred to the Committee on Military Affairs.

Mr. Harvey offered the following resolution:

Resolved, That the Sergeant-at-Arms be ordered to supply the Reporters of the Press entitled to seats on the floor of the Senate, with copies of all bills and reports introduced in the Senate that are printed.

Adopted.

GENERAL FILE.

Senate bill No. 21, an Act concerning the Courts of Justice of this

State, and judicial officers—farther amended, rules suspended, bill considered engrossed, read third time, and passed.

Assembly substitute for Senate concurrent resolution No. 10, relative to the Miranda claim to the rancho Arroya de San Antonio.

On the motion to indefinitely postpone the whole subject matter, the ayes and noes were demanded, by Messrs. Gaskill, Kutz, and McNabb, and taken, with the following result:

AYES—Messrs. Baker, Clark, Doll, Kutz, Parks, Perkins, Porter of Santa Cruz, and Vineyard—8.

NOES—Messrs. Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Holden, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Porter of Contra Costa, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—30.

The question being on the concurrence of Assembly substitute, the ayes and noes were demanded, by Messrs. Oulton, Harvey, and Burnell, and taken, with the following result:

AYES—Messrs. Baker, Clark, Cunningham, Doll, Harriman, Hathaway, Higgins, Lewis, Pacheco, Parks, Perkins, Porter of Santa Cruz, Quint, Shannon, Shurtleff, and Vineyard—16.

NOES—Messrs. Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Crane, Gaskill, Harvey, Higby, Holden, Kutz, McCullough, McNabb, Nixon, Oulton, Porter of Contra Costa, Powers, Saxton, Van Dyke, Wallis, and Whiting—22.

Senate bill No. 35, an Act to legalize certain conveyances—ordered engrossed, and read third time.

Senate bill No. 38, an Act to amend section one hundred and ninety-eight of an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one—laid on the table.

Assembly bill No. 92, an Act to provide for special elections for Superintendent of Public Instruction and judicial officers—on motion of Mr. Shannon, was taken from the file, and ordered to top of file for Thursday, February twenty-sixth.

Assembly bill No. 94, an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—indefinitely postponed.

Assembly bill No. 134, an Act to authorize the Board of Supervisors of Tulare County to annul certain bonds—passed.

Senate bill No. 7, an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two—ordered to top of file for Wednesday, February twenty-fifth.

Mr. Shannon moved to reconsider the vote whereby, on yesterday, Senate bill No. 99 was lost.

On motion of Mr. Perkins, the motion to reconsider was laid on the table until to-morrow, at eleven o'clock, A. M.

Senate bill No. 68, an Act authorizing the construction of a wagon

road over the Coast Range of Mountains in the County of San Luis Obispo—ordered to top of file for Saturday, February twenty-first.

Senate bill No. 126, an Act to amend an Act entitled an Act in relation to public roads in the County of Calaveras, and the Road Fund of said county, approved April tenth, eighteen hundred and sixty-two—amended, ordered engrossed, and read third time.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Lewis, by leave, for an Act to repeal section one of an Act entitled an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the records, and ascertain the present existing debts of said county, and to allow a reasonable compensation for the same; and also, to allow a reasonable compensation for the examination already made of the tax rolls of said county, for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Shannon, for an Act to define and establish the boundary line between the State of California and the Territory of Nevada, in accordance with an Act of Congress organizing said Territory, and providing for the assent of the State of California to such change of boundary.

Read first and second times, and referred to the Special Committee on the boundary line.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Mr. Wallis, of the Santa Clara delegation, made the following report:

MR. PRESIDENT:—The Santa Clara delegation, having had under consideration Assembly bill No. 126, an Act to consolidate the School Fund of the City of San José, having considered the same, beg leave to report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

GENERAL FILE RESUMED.

Senate bill No. 110, an Act to authorize the Board of Supervisors of Trinity County to levy a tax for a County Building Fund—rules suspended, considered engrossed, read third time, and passed.

Senate substitute for Assembly bill No. 31, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty—laid on the table.

Senate bill No. 31, an Act concerning trade marks—substitute adopted, and placed at top of the file for Saturday, February twenty-first.

Senate bill No. 89, an Act exempting the Counties of San Diego and San Bernardino from the operation of the game laws, passed May thirtieth, eighteen hundred and fifty-four, and amended April sixteenth, eighteen hundred and fifty-seven—passed.

Senate bill No. 106, an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-first, eighteen hundred and fifty-eight—amended, considered engrossed, read third time, and passed.

Senate bill No. 103, an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor and Treasurer of the City and County of San Francisco; also amendatory of an Act approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors and Auditor and County Treasurer of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty—amended, considered engrossed, read third time, and passed.

Senate bill No. 104, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven—amended, considered engrossed, read third time, and passed.

Senate bill No. 115, an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city, and to donate the same to the State—amended, ordered engrossed, read third time, and passed.

Assembly bill No. 64, an Act creating a Current Expense Fund for the County of Mono—amended, considered engrossed, read third time, and passed.

Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof—amended, considered engrossed, read third time, and passed.

Senate bill No. 114, an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty—ordered engrossed, and read third time.

Senate bill No. 108, an Act to amend an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty—ordered engrossed, and read third time.

Senate bill No. 80, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—read third time, and passed.

Senate bill No. 102, an Act to amend an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 84, an Act amendatory of the Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two—read third time, and passed.

Senate bill No. 85, an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—read third time, and passed.

Senate bill No. 92, an Act to repeal an Act for the relief of insolvent debtors, and protection of creditors, and of all laws amendatory thereof and supplementary thereto—indefinitely postponed.

Senate bill No. 66, an Act to create a Court in the City and County of San Francisco, and to provide for the organization of the same—indefinitely postponed.

Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Tide, and Salt Marsh Lands—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 109, an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin river, in Fresno County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 118, an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne river, in the Counties of Calaveras and Amador—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 129, an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—ordered to top of file for Thursday, February twenty-sixth.

Senate bill No. 121, an Act to provide for the payment of the indebtedness of Stanislaus County to Tuolumne County—referred to Stanislaus and Tuolumne delegations.

Assembly bill No. 138, an Act amendatory of and supplementary to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—ordered to top of file for February twenty-third.

Senate bill No. 16, an Act supplementary to and amendatory of an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—ordered third on file for February twenty-sixth.

At three o'clock and forty minutes, p. m., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Saturday, February 21st, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 1, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one, having had the same under consideration, report it back, with amendments, and recommend its passage as amended ;

Also, Senate bill No. 119, an Act concerning records of District Courts, and report it back, with amendments, and recommend its passage as amended ;

Also, Senate bill No. 116, an Act amendatory of section sixty-one of an Act concerning crimes and punishments, passed April sixteenth, A. D. eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, and report it back, amended, and recommend its passage as amended ;

Also, Assembly bill No. 82, an Act concerning Courts of Justice in certain cases, and report it back, amended, and recommend its passage as amended ;

Also, Senate bill No. 92, an Act to amend the Civil Practice Act of this State in relation to attachments, and report the same back, and recommend that it do not pass ;

Also, Amendments to the Constitution, and report the same back, and recommend that they be agreed to and adopted.

VAN DYKE, Chairman.

Mr. Kutz made the following report :

MR. PRESIDENT :—The delegation to whom was referred Senate bill No. 124, an Act concerning roads and highways in the County of Nevada, having had the same under consideration, report it back, and respectfully recommend its passage.

KUTZ, for Delegation.

Mr. Perkins, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :—The Committee on Finance, to whom was referred Senate bill No. 96, an Act to suspend an Act entitled an Act to provide for the collection and payment of the direct tax apportioned to this State by an Act of Congress, to provide increased revenue from imports to pay interest on the public debt, and for other purposes, have had the same under consideration, report the same back, and recommend the indefinite postponement of the bill, for the reason that all its provisions are substituted for section eight in Assembly bill No. 145 ;

Also, have had under consideration Assembly bill No. 145, an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, report the same back, with amendments, and recommend that the same do pass as amended ;

Also, have had under consideration Senate bill No. 107, an Act explanatory of and supplementary to an Act entitled an Act to provide revenue for the support of the Government of this State, approved April

tenth, eighteen hundred and sixty-two, report the same back, and recommend the passage of the same.

PERKINS, Chairman.

Assembly bill No. 145, above reported, amended, read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
Sacramento, February 21st, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 45, an Act to amend section one of an Act approved March thirteenth, eighteen hundred and sixty-two, entitled an Act to transcribe certain records of the County of Shasta;

Also, Senate bill No. 48, an Act to amend section one of an Act approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the county records of the County of Trinity;

Also, Senate bill No. 33, an Act to change the name of John Schlageter;

Also, Senate bill No. 62, an Act to amend an Act entitled an Act to provide for Public Administrator in certain counties, passed March thirteenth, eighteen hundred and sixty-two;

Also, Senate bill No. 44, an Act to amend an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.)
February 21st, 1863. }

MR. PRESIDENT:—The Assembly, to-day, adopted Assembly concurrent resolution No. 28, relative to adjournment.

W. N. SLOCUM,
Assistant Clerk.

Assembly concurrent resolution No. 28, above reported, was taken up and considered.

Mr. Holden offered the following amendment:

“*Provided*, that the members of the Senate and Assembly shall not draw per diem during said adjournment.”

Upon the adoption of the amendment, the ayes and noes were demanded, by Messrs. Oulton, McNabb, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Doll, Holden, and Kutz—3.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Higby,

Higgins, Lewis, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Quint, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—32.

Upon the adoption of the resolution, the ayes and noes were demanded, by Messrs. Oulton, Kutz, and Bogart, and taken, with the following result:

AYES—Messrs. Gaskill, McNabb, Porter of Santa Cruz, and Shannon—4.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Harriman, Harvey, Higby, Higgins, Holden, Kutz, Lewis, McCullough, Nixon, Oulton, Pacheco, Parks, Perkins, Powers, Quint, Shurtleff, Van Dyke, Vineyard, and Wallis—30.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Doll, for an Act to provide for the pauper sick of Tehama County.

Read first and second times, and referred to the Hospital Committee.

By Mr. McNabb, for an Act for the relief of the family of Colonel Roderick Mattheson, deceased.

Read first and second times, and referred to the Committee on Public Expenditures.

By Mr. Shurtleff, for an Act to amend section eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty.

Read first and second times, and referred to the Finance Committee.

Also, for an Act to regulate fees in office in the Counties of Shasta and Trinity.

Read first and second times, and placed on file.

By Mr. Clark, for an Act appropriating money for the benefit of the Ladies' Protection and Relief Society.

Read first and second times, and referred to the Finance Committee.

By Mr. Kutz, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McNabb, for an Act to amend an Act entitled an Act to grant H. J. May, Charles M. Baxter, William Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Sonoma delegation.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

February 21st, 1863. }

Mr. PRESIDENT:—The Assembly, yesterday, amended and passed Senate bill No. 76, an Act to grant the right to construct a turnpike road from Doshe's store, in Lone Valley, to the Town of Jackson, in the County of Amador;

Also, passed Assembly concurrent resolution No. 27, relative to furnishing the Trustees of the Insane Asylum with five hundred copies of their annual report;

Also, refused to concur in Senate amendments to Assembly joint resolution No. 1, declaratory of the adoption of the Amendments to the Constitution, and ask the Senate to recede from said amendment.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly amendments to Senate Bill No. 76, above reported, concurred in.

Assembly concurrent resolution No. 27, above reported, concurred in.

Assembly joint resolution No. 1, above reported, ordered on file.

Mr. Oulton offered the following resolution:

Resolved, That the Committee on Mines and Mining Interests of the Senate be and are hereby authorized to appoint from their number a sub-committee of two to proceed to San Francisco, and examine the collections of various kinds in the office of the State Geologist; also, what progress has been made in the publication of the first and second annual reports of the State Geologist, as provided for by the Act of the Legislature of eighteen hundred and sixty-two, and such other matters of interest connected with the Geological Survey of the State as may be suggested to the said sub-committee, and report to the Senate the result of their examination.

Adopted.

Mr. Lewis gave notice of reconsideration.

Mr. Clark made the following report:

Mr. PRESIDENT:—The San Francisco delegation, to whom was referred Senate bill No. 39, report the same back, with amendments, and recommend its passage as amended.

CLARK, for Delegation.

The motion to reconsider the vote by which the Senate refused to order to engrossment Senate bill No. 99, an Act for the relief of indigent sufferers from the small pox in the County of San Diego, was taken from the table, and the bill placed top of file for Tuesday, February twenty-fourth.

Mr. Quint offered the following resolution:

Resolved, That, in view of the adjournment of the Assembly until next Tuesday for the purpose of celebrating the birthday of the Father of his Country, and as a mark of respect to his memory; and further, in view of the fact that the foundation stone of the Broderick Monument

will be laid on Monday, the Senate do now adjourn until Tuesday next, the twenty-fourth instant.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Burnell, Wallis, and Kutz, and taken, with the following result:

AYES—Messrs. Baker, Birdseye, Crane, Cunningham, Lewis, McNabb, Pacheco, Quint, and Wallis—9.

NOES—Messrs. Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Harvey, Higby, Holden, Kutz, McCullough, Shurtleff, and Vineyard—13.

Mr. Harvey moved to reconsider the vote whereby the above resolution was lost.

On which, the ayes and noes were demanded, by Messrs. Chamberlain, Oulton, and Crane, and taken, with the following result:

AYES—Messrs. Baker, Crane, Cunningham, Harvey, McNabb, Quint, and Wallis—7.

NOES—Messrs. Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Higby, Holden, Kutz, Lewis, Shurtleff, and Vineyard—12.

Mr. Bogart moved to adjourn.

Upon which, the ayes and noes were demanded, by Messrs. Chamberlain, Lewis, and Quint, and taken, with the following result:

AYES—Messrs. Bogart, Booth, Burnell, Cavis, Clark, Higby, Holden, Kutz, Lewis, Shurtleff, and Vineyard—11.

NOES—Messrs. Baker, Chamberlain, Crane, Cunningham, Harvey, McCullough, McNabb, Quint, and Wallis—9.

So, at one o'clock and fifty minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Monday, February 23d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of Saturday last read and approved.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Parks, for an Act to authorize Ephraim J. Dodge, Administrator of the estate of James M. Clark, to sell and convey the realty belonging to said estate.

Read first and second times.

On motion of Mr. Parks, the bill was considered now, rules suspended, considered engrossed, read third time, and passed.

By Mr. Harvey, for an Act to re-incorporate the City of Placerville, and extend the limits thereof.

Read first and second times, and bill considered now, rules suspended, considered engrossed, read third time, and passed.

By Mr. Hathaway, for an Act concerning the Insane Asylum of California, and to levy a tax therefor.

Read first and second times, referred to the Committee on Hospitals, and the usual number of copies ordered printed.

By Mr. Wallis, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and an Act amendatory thereof, approved May eighteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McNabb, for an Act to authorize the levy of a special property tax in the County of Sonoma, for the establishment and maintenance of roads and bridges.

Read first and second times, and referred to the Sonoma delegation.

By Mr. Lewis, for an Act to amend an Act to authorize the Board of Supervisors of Calaveras County to issue bonds in a sum not to exceed the sum of six thousand dollars, and to dispose of the same for road purposes, approved March thirteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Calaveras delegation.

REPORT.

Mr. Barnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject:

Also, Senate bill No. 114, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 137, an Act to repeal section one of an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the records, and ascertain the present existing debt of said county, and to allow a reasonable compensation for the same; and also, to allow a reasonable compensation for the examination already made of the tax rolls of said county, for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty;

Also, Senate bill No. 108, an Act to amend an Act concerning the office

of Surveyor-General, passed April seventeenth, eighteen hundred and fifty.

BURNELL, Chairman.

RESOLUTION.

Mr. Chamberlain offered the following resolution :

Resolved, That the Journal Clerk of the Senate be and he is hereby allowed an Assistant, said Assistant to be allowed the per diem, five dollars, payable out of the fund set apart for the payment of the attachés of the Senate.

Laid on the table.

GENERAL FILE.

Assembly bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—placed at top of file for Tuesday, February twenty-fourth.

Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in San Luis Obispo County—ordered engrossed, and read third time.

Senate bill No. 31, an Act concerning trade marks—amended, ordered engrossed, and read third time.

Mr. Holden offered the following resolution :

Resolved, That the Secretary of the Senate proceed to read the Farewell Address of George Washington, and that the Senate then adjourn in honor of the birthday of the Father of our Country.

Laid on the table.

Mr. McNabb moved to take the above resolution from the table.

Upon which, the ayes and noes were demanded, by Messrs. Holden, McNabb, and Anderson, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Chamberlain, Holden, Lewis, McNabb, Pacheco, Quint, Shurtleff, and Vineyard—10.

NOES—Messrs. Booth, Burnell, Cavis, Clark, Crane, Cunningham, Harvey, Hathaway, Higby, Kutz, McCullough, Parks, and Wallis—13.

Assembly bill No. 126, an Act to consolidate the School Funds of the City of San José—amended in Committee of the Whole.

Pending the consideration of the bill the following resolution was offered by Mr. Burnell :

Resolved, That the Senate do now adjourn in honor of the birthday of Washington, the Father of his Country, and also out of respect to the memory of the Hon. David C. Broderick, in consideration of the fact that the corner stone of the Broderick Monument is to be laid this day in San Francisco.

Adopted.

So, at twelve o'clock and forty minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 24th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Mr. Oulton asked indefinite leave of absence for Mr. Van Dyke. Mr.

Quint asked indefinite leave of absence for Mr. Doll.

The Chair decided this as the proper time for asking leave.

Mr. Perkins appealed.

On the vote being taken, the Senate refused to sustain the decision of the Chair.

Journal of yesterday read and approved.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Perkins, for an Act to authorize Joseph Galoway and his associates to construct and maintain a wharf in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Harvey, for an Act to amend an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said county, approved February twenty-seventh, eighteen hundred and sixty-two.

Read first and second times, and placed on file.

By Mr. Higby, for an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Parks, for an Act to define the terms of office in this State, and fix the commencement thereof.

Read first and second times, and placed third on file for Thursday, February twenty-sixth.

By Mr. Holden, for an Act fixing the time for holding the terms of the District Court in Lake County.

Read first and second times, and placed on file.

Mr. Parks presented certain accounts allowed by the Board of Military Auditors.

Referred to the Committee on Claims.

Indefinite leave of absence was granted to Messrs. Van Dyke and Doll.

Mr. Burnell offered the following resolution:

Resolved, That the Engrossing Committee be authorized to employ an

Assistant Engrossing Clerk, at a per diem of five dollars, for such time as they may deem necessary.

Adopted.

REPORT.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 115, an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city, and to donate the same to the State ;

Also, Senate bill No. 129, an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital ;

Also, Senate bill No. 35, an Act to legalize certain conveyances.

BURNELL, Chairman.

By unanimous consent of the Senate, on motion of Mr. Kutz, the title of Senate bill No. 115 was amended, by striking out the words " and to donate the same to the State."

GENERAL FILE.

Senate bill No. 99, an Act for the relief of indigent sufferers from the small pox in the County of San Diego—ordered to top of file for Wednesday, February twenty-fifth.

Senate bill No. 120, an Act authorizing the Board of Supervisors for Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Anna, Eagle, and Marble Mines Road—amended, rules suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act to provide for funding the indebtedness of the county of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—ordered to top of file for Tuesday, March third.

Senate bill No. 51, an Act relating to lands owned or claimed by tenants in common—returned to the file.

Assembly bill No. 126, an act to consolidate the School Funds of the City of San José—amended, read third time, and passed

Assembly bill No. 125, an Act to amend the twenty-first section of an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one—amended, read third time, and passed.

Senate bill No. 93, an Act to provide a special Fund for the construction of a State Capitol Building in the City of Sacramento—ordered to top of the file for Friday, February twenty-seventh.

Senate bill No. 126, an Act to amend an Act entitled an Act to incorporate the city of San José, passed March sixteenth, eighteen hundred and fifty-nine—ordered engrossed, and read third time.

Senate bill No. 88, an Act to define the boundary line between the Counties of Amador and El Dorado—amended, rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 107, an Act explanatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act to provide revenue

for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 39, an Act to amend an Act entitled an Act authorizing Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco—ordered to top of file for Friday, February twenty-seventh.

Senate bill No. 96, an Act to suspend an Act to provide for the collection and payment of the quota of the direct tax apportioned to this State, by an Act to provide for increased revenue from imports to pay interest on the public debt, and for other purposes, passed August fifth, eighteen hundred and sixty-one, approved April twelfth, eighteen hundred and sixty-two—**indefinitely postponed.**

Senate bill No. 1, an Act to amend an Act to define the Senate and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one—**ordered fourth on file for February twenty-sixth.**

Senate bill No. 116, an Act amendatory of section sixty-one of an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto—**amended.**

On the engrossment, the ayes and noes were demanded, by Messrs. Kutz, Oulton, and Harvey, and taken, with the following result :

AYES—Messrs. Cavis, Clark, Crane, Higby, Shurtleff, Vineyard, and Wallis—7.

NOES—Messrs. Anderson, Birdseye, Bogart, Booth, Barnell, Chamberlain, Cunningham, Harvey, Higgins, Holden, Kutz, Lewis, McCullough, Oulton, Pacheco, Parks, Perkins, and Whiting—18.

Mr. Whiting gave notice of reconsideration.

Senate bill No. 119, an Act concerning records of District Courts—**amended, ordered engrossed, and read third time.**

Senate bill No. 11, Amendments to the Constitution—**ordered to top of file for Friday, February twenty-seventh.**

Senate bill No. 91, an Act to amend the Civil Practice Act of this State in relation to attachments—**amended, ordered engrossed, and read third time.**

Senate bill No. 142, an Act to regulate the fees of officers in the Counties of Shasta and Trinity—**ordered engrossed, and read third time.**

Senate bill No. 124, an Act concerning roads and highways in the County of Nevada—rules suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 82, an Act concerning Courts of Justice in certain cases—**amended, read third time, passed, and title amended.**

Assembly joint resolution No. 1, declaratory of the adoption of the Amendments to the Constitution proposed by the Legislature at its twelfth session—**ordered to be placed fifth on file for Friday, February twenty-seventh.**

Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject—**ordered placed sixth on file for Friday, February twenty-seventh.**

Senate bill No. 108, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and sixty—**read third time, and passed.**

Senate bill No. 114, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—read third time, and passed.

UNFINISHED BUSINESS.

Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of this State, passed February twentieth, eighteen hundred and fifty-seven—amended, ordered engrossed, and read third time.

Assembly bill No. 39, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, approved April nineteenth, eighteen hundred and fifty-nine—read third time, and passed.

At three o'clock, P. M., on motion of Mr. Perkins, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 25th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Journal of yesterday read and approved.

Mr. Perkins presented a petition from citizens of San Francisco, against a repeal of the wood law.

Referred to San Francisco delegation.

Also, presented claim of R. M. Jessup.

Referred to Committee on Claims.

REPORT.

Mr. Oulton, Chairman of the Committee on Claims, made the following report:

MR. PRESIDENT:—The Committee on Claims have had under consideration Senate bill No. 55, an Act making an appropriation for the payment of the expenses in the trial of Horace Smith, and beg leave to report the same back, with a substitute bill, and recommend the passage of the substitute;

Also, Senate bill No. 127, an Act amendatory of an Act supplementary to an Act to create a Board of Examiners, to define their powers,

etc., approved April twenty-first eighteen hundred and fifty-eight, and report the same back with amendments, and recommended the passage of the bill as amended;

Also, Senate bill No. 134, being an Act to authorize the Board of Supervisors of Stanislaus County to pay the claim of George E. Irwin for surveying the boundary line of a portion of San Joaquin granted to Stanislaus County, and report the same back with a substitute bill, and recommended the passage of the substitute.

CULTON, Chairman.

MESSAGE FROM THE ASSEMBLY

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

February 14th, 1861.

MR. PRESIDENT:—The Assembly, this day, passed Senate bill No. 84 an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth eighteen hundred and sixty-two;

Also, concurred in Senate amendments to Assembly bill No. 164 an Act creating a Current Expense Fund for the County of Mono;

Also, this day, the Assembly refused to concur in Senate amendments to section first of Assembly bill No. 141 an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, and concurred in all other Senate amendments. The Assembly asks the Senate to rescind from its amendment to section first of said bill;

Also, the House, on the nineteenth instant, passed Assembly bill No. 162, an Act to incorporate the Town of Inglewood;

Also, on same day, passed Assembly bill No. 128, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, on same day, passed Assembly bill No. 166, an Act to establish and regulate the Fire Department of the Town of Downsville;

Also, on February twentieth, passed Assembly bill No. 147, an Act to amend an Act entitled an Act to legalize certain grants and sales made by the Administrators of the Public, and the Mayor and Common Council of the City of Santa Barbara, of lands belonging to the said public and city, May fourteenth, eighteen hundred and sixty-one;

Also, same day, passed Assembly bill No. 170, an Act creating a Contingent Fund for Trinity County;

Also, same day, passed Assembly concurrent resolution No. 24 relative to supplies for Indian Reservations in eighteen hundred and fifty-nine and eighteen hundred and sixty.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 162, above reported, read first and second times, and referred to the Sierra delegation.

Assembly bill No. 166, above reported, read first and second times, and referred to the Sierra delegation.

The Senate refused to recede from its amendment to Assembly bill No. 145, above reported, and the Chair appointed, as Committee of Conference on part of the Senate, Messrs. Birdseye, Perkins, and Harvey.

Assembly bill No. 147, above reported, read first and second times, and referred to the Santa Barbara delegation.

Assembly bill No. 128, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 170, above reported, read first and second times, and referred to the Trinity delegation.

Assembly concurrent resolution No. 24, above reported, read first and second times, and referred to the Committee on Military Affairs.

Mr. Wallis introduced a bill for an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof.

Read first and second times, and referred to the Santa Clara delegation.

RESOLUTIONS.

Mr. Harvey offered the following resolution :

Resolved, That the Finance Committee be instructed to examine and report upon (as near as may be) the amount of fees allowed and received by the Clerk of the Supreme Court for his services, and also the propriety of reporting a bill making the office of said Clerk a salaried one.

Adopted.

Mr. Oulton offered the following resolution :

Resolved, That the Finance Committee be instructed to inquire into the propriety of making the office of State Gauger a salaried one.

Adopted.

Mr. Lewis offered the following resolution :

Resolved, That the Finance Committee be instructed to inquire into the propriety of making the office of Commissioner of Immigration a salaried office.

Adopted.

Mr. Perkins offered the following resolution :

Resolved, That the Finance Committee be directed to inquire into the facts with regard to the manner in which the Collector of Chinese Fishing Licenses is discharging his duty, and report to the Senate.

Adopted.

Mr. Whiting, pursuant to notice, moved a reconsideration of the vote whereby Senate bill No. 116 was ordered engrossed.

Motion to reconsider laid on the table.

GENERAL FILE.

Senate bill No. 7, an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide

revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two—amended.

On motion of Mr. Oulton, it was referred to a special committee, consisting of Messrs. Birdseye, Harvey, and Perkins.

On motion of Mr. Perkins, the Assembly was asked to appoint a committee to meet the Senate Committee of Conference on Senate bill No. 145.

Senate bill No. 99, an Act for the relief of indigent sufferers from the small pox in the County of San Diego.

The question being to reconsider the vote whereby the Senate refused to engross the bill, the ayes and noes were demanded, by Messrs. Wallis, Perkins, and Birdseye, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Bogart, Booth, Burnell, Crane, Holden, McNabb, Pacheco, Saxton, Shurtleff, Vineyard, and Whiting—13.

NOES—Messrs. Abell, Birdseye, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Higby, Higgins, Kutz, McCullough, Oulton, Parks, Perkins, Van Dyke, and Wallis—17.

Senate bill No. 51, an Act relating to lands owned or claimed by tenants in common—returned to file.

Senate bill No. 155, an Act fixing the time for holding the District Court in Lake County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 156, an Act to amend an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said county—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 35, an Act to legalize certain conveyances—read third time and passed, and the title amended by striking out the word “conveyances,” and inserting the word “acknowledgements.”

Senate bill No. 49, an Act to pay to John C. Doherty, for certain services rendered to the State—the Secretary was directed to read the bill and substitute reported from the Committee on Claims in the Committee of the Whole.

The substitute was adopted in Committee of the Whole.

The Chair announced that the bill had been considered in Committee of the Whole, who had adopted the substitute, and reported accordingly to the Senate, and that the question before the Senate was on concurring in the action of the Committee of the Whole.

Mr. Oulton appealed from the announcement or decision of the Chair.

The Senate refused to sustain the Chair.

The bill was then considered in Committee of the Whole, and ordered engrossed.

Mr. Perkins moved that Mr. Quint be granted indefinite leave of absence.

Upon which the ayes and noes were demanded, by Messrs. Pacheco, Kutz, and Burnell, and taken with the following result :

AYES—Messrs. Abell, Anderson, Baker, Bogart, Burnell, Chamberlain, Clark, Cunningham, Harvey, Higby, Higgins, Holden, Parks, Saxton, Shurtleff, and Wallis—16.

NOES—Messrs. Cavis, Gaskill, Kutz, Oulton, Pacheco, and Van Dyke—6.

At two o'clock and fifty minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, February 26th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

Mr. Oulton presented a petition from citizens of Siskiyou County, asking a modification of the laws relating to habitual drunkenness.

Referred to Committee on Public Morals.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 128, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other acts amendatory thereof, having had the same under consideration, report it back, and recommend its passage;

Also, Senate bill No. 143, an Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and fifty-one, and recommend that it do not pass;

Also, Senate bill No. 154, an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, amended, and recommend its passage, as amended;

Also, Senate bill No. 135, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty, report the same back, and recommend its passage;

Also, Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty, report the same back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Lewis made the following report:

MR. PRESIDENT:—The Calaveras delegation have had under consideration Senate bill No. 151, an Act to amend an Act to authorize the Board

of Supervisors of Calaveras County to issue bonds, not to exceed the sum of six thousand dollars, and to dispose of the same, for road purposes, approved March sixteenth, eighteen hundred and sixty-two, and recommend that it do not pass.

LEWIS, for Delegation.

Mr. Birdseye made the following report :

MR. PRESIDENT:—The Joint Select Committee of Conference on the disagreement on the amendment to section one of Assembly bill No. 145, have had the same under consideration, and they report that they recommend the Assembly to concur in the amendment made in the Senate to said bill.

BIRDSEYE,
Chairman on part of Senate,
COLLINS,
Chairman on part of Assembly.

Mr. Shurtleff made the following report :

MR. PRESIDENT:—The Trinity delegation, to whom was referred Assembly bill No. 170, report the same back, without amendment, and recommend its passage.

SHURTLEFF, for Delegation.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 88, an Act to define the boundary line between the Counties of Amador and El Dorado ;

Also, Senate bill No. 31, an Act concerning trade marks ;

Also, Senate bill No. 123, an Act to amend an Act in relation to public roads in Calaveras County, approved April tenth, eighteen hundred and sixty-two ;

Also, Senate bill No. 109, an Act to grant the right to construct and establish a ferry on the San Joaquin river, in Fresno County.

BURNELL, Chairman.

By unanimous consent, an enacting clause was inserted in Senate bill No. 123, above reported.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
February 25th, 1863. }

MR. PRESIDENT:—The Assembly, on the twenty-fourth instant, passed Assembly bill No. 151, an Act amendatory of and supplementary to an Act entitled an Act to fund the indebtedness of the County of Los Angeles, now existing in the form of County Auditor's warrants, or that may be outstanding on the first day of July, A. D. eighteen hundred and sixty-one, or warrants issued for indebtedness accruing prior to the first day of July, eighteen hundred and sixty-one, and to provide for the pay-

ment of the same, approved April fifth, eighteen hundred and sixty-one;

Also, adopted Assembly concurrent resolution No. 29, relative to the heroic conduct of the California Volunteers under command of Colonel P. E. Conner;

Also, on the same day, the House receded from its amendment to Senate concurrent resolution No. 10, relative to the Miranda claim to the rancho Arroyo de San Antonio, and concurred in the Senate resolution;

Also, on the same day, passed Assembly bill No. 182, an Act to amend an Act entitled an Act to re-incorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 182, above reported, read first and second times, and placed on file.

Assembly bill No. 151, above reported, read first and second times, and placed on file.

Assembly concurrent resolution No. 29, above reported, concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Holden, for an Act defining the duties of County Treasurers of this State in relation to payment for land purchased of this State.

Read first and second times, and referred to the Finance Committee.

By Mr. Doll, for an Act to change the name of Victor Desire to William Henry Roberts.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act fixing the salaries of State officers and Clerks, passed May sixth, eighteen hundred and sixty-one.

Read first and second times, and ordered on file.

By Mr. Higby, for an Act to fund the indebtedness of Calaveras County contracted since the first day of January, eighteen hundred and sixty-one, and before the passage of this Act, and to provide means for the payment of the same.

Read first and second times, and referred to the Calaveras delegation.

By Mr. Crane, for an Act concerning crimes and punishments.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act respecting fees of Court Commissioners.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Saxton, for an Act granting the right to construct and main-

tain a bridge across the American river, near Rattlesnake Bar, in the Counties of Placer and El Dorado.

Read first and second times, and referred to El Dorado and Placer delegations.

By Mr. Pacheco, for an Act to incorporate the Town of San Luis Obispo.

Read first and second times, and referred to the San Luis Obispo delegation.

By Mr. Harriman, for an Act to amend an Act entitled an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Crane, for an Act to amend an Act entitled an Act concerning crimes and punishments, which took effect May sixth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate bill No. 16, an Act supplementary to and amendatory of an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—*indefinitely postponed*.

Assembly bill No. 92, an Act to provide for special election for Superintendent of Public Instruction and judicial officers—ordered to top of file for Tuesday, March third, eighteen hundred and sixty-three.

Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—ordered second on file for Tuesday next.

Senate bill No. 152, an Act to define the terms of office in this State, and fix the commencement thereof—referred to Judiciary Committee.

Senate bill No. 55, an Act making an appropriation for payment of the expenses growing out of the indictment and trial of Horace Smith for murder—ordered to top of file for Monday, March second.

Senate bill No. 134, an Act to authorize the Board of Supervisors of Stanislaus County to appropriate the sum of two thousand one hundred and eighteen dollars to pay the claim of George E. Drew, for surveying the boundary line of a portion of San Joaquin County annexed to Stanislaus County—ordered to top of file for Wednesday, March fourth.

Senate bill No. 51, an Act relating to lands owned or claimed by tenants in common—ordered second on file for Wednesday, March fourth.

Senate bill No. 127, an Act amendatory of and supplementary to an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties upon the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight—amended, rules suspended, bill considered engrossed, read third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
February 25th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, amended and passed Senate bill No. —, substitute for Assembly bill No. 19, an Act to amend an Act

concerning District Attorneys, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, passed Assembly bill No. 23, an Act concerning the Independent Order of Good Templars;

Also, passed Assembly bill No. 42, an Act concerning the School Fund of the State of California;

Also, passed Assembly bill No. 145, an Act to authorize Solomon Miser and his associates to construct and maintain a turnpike road at a certain point in Sacramento County;

Also, passed Assembly bill No. 149, an Act to amend an Act entitled an Act in relation to the county officers of Sierra County, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory of the same, approved April third, eighteen hundred and sixty-two;

Also, on the twenty-fourth instant, passed Assembly bill No. 229, an Act to authorize and require the Boards of Supervisors of the Counties of Napa and Lake to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport;

Also, February twenty-fourth, passed Assembly bill No. 43, an Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe fifty thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same;

Also, February twenty-fifth, passed Assembly bill No. 148, an Act to re-locate the county seat of the County of Marin, by the qualified electors of said County;

Also, February twenty-sixth, adopted the report of the Committee of Free Conference on the disagreement of the two Houses on the Senate amendment to Assembly bill No. 145, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof. The House have consequently concurred in the Senate amendments to said bill.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 249, above reported, read first and second times, and ordered on file.

Assembly bill No. 149, above reported, read first and second times, and ordered on file.

Assembly bill No. 135, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 42, above reported, read first and second times, and referred to the Committee on Education.

Assembly bill No. 43, above reported, read first and second times, and referred to the San Joaquin delegation.

Assembly bill No. 23, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 148, above reported, read first and second times, and referred to the Marin delegation.

Senate concurred in Assembly amendments to Senate substitute to Assembly bill No. 19, above reported.

Mr. Pacheco made a verbal report, recommending the passage of Assembly bill No. 147, an Act to amend an Act entitled an Act to legalize

certain grants and sales made by the Ayuntamiento of the Pueblo, and by the Mayor and Common Council of the City, of Santa Barbara, of lands belonging to the said Pueblo, approved May fourteenth, eighteen hundred and sixty-one.

Bill above reported, read third time, and passed.

Mr. Perkins offered the following resolution:

Resolved, That the report of the Secretary of State be referred to the Finance Committee, with instructions to audit and examine vouchers with regard to expenditures therein mentioned.

Adopted.

Senate bill No. 31, an Act concerning trade marks—read third time, and passed, and title amended.

Senate bill No. 123, an Act to amend an Act entitled an Act in relation to public roads in Calaveras County, approved April tenth, eighteen hundred and sixty-two—read third time, and passed.

At one o'clock and ten minutes P. M., on motion of Mr. Hathaway, the Senate adjourned.

J. F. CHELLIS.

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Friday, February 27th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Journal of yesterday read and approved.

PETITIONS.

Mr. Holden presented a petition of the Board of Supervisors of Mendocino County, asking a repeal of the township law so far as relates to Mendocino County.

Laid on the table with bill in reference to the same subject.

Mr. Crane presented a petition of the Board of Trustees of the Oakland and San Antonio Steam Navigation Company, asking for franchise for wharf in San Francisco.

Referred to the Committee on Commerce and Navigation.

Mr. McNabb presented a claim of H. L. Weston, for printing done for the State.

Referred to the Committee on Claims.

REPORTS.

Mr. Wallis, from the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 36, an Act to amend an Act entitled an Act creating the office of Township Collector and Assessor in the Counties of El Dorado and Amador, passed April twenty-fifth, eighteen hundred and sixty-two ;

Also, Senate bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof ;

Also, Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July in the year eighteen hundred and sixty-three ;

Also, Senate bill No. 60, an Act to grant to Larkin Lamb and his associates the right to construct and maintain a toll bridge across the Cosumnes river, in the Counties of Amador and El Dorado ;

Also, Senate bill No. 65, an Act to repeal an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two, and to revive an Act entitled an Act to regulate fees in office in certain counties of this State ;

Also, Senate bill No. 68, an Act supplementary to an Act entitled an Act to authorize the County of San Joaquin to issue bonds for agricultural uses ;

Also, Senate bill No. 77, an Act to separate the office of Collector of Taxes from the office of Sheriff in the County of Trinity ;

Also, Senate bill No. 105, an Act concerning the office of County Assessor for Butte County.

And all of said bills, after being properly signed, were, on the twenty-sixth day of February, A. D. eighteen hundred and sixty-three, at one o'clock and twenty minutes, P. M., delivered to the Governor for his approval.

WALLIS, for Committee.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

MR. PRESIDENT :—The Committee on Finance, to whom was referred Senate concurrent resolution No. 17, relative to the currency of the State, have had the same under consideration, report the same back, with amendments, and recommend the passage of the resolution as amended ;

Also, Assembly bill No. 84, an Act to provide for the better keeping, protection, and disbursement, of public moneys, report the same back, and a majority of your committee recommend the indefinite postponement of the bill ;

Also, Senate bill No. 128, an Act to authorize the State to assist in the construction of a railroad to connect the State of Oregon with the Central Pacific Railroad, and create a debt for that purpose, report the same back, and recommend the bill be indefinitely postponed ;

Also, Assembly bill No. 129, an Act to legalize and provide for the

collection of delinquent taxes in the several counties of this State, and report the same back, without recommendation ;

Also, Senate bill No. 131, an Act to amend an Act to provide revenue for the support of the government of this State, passed April thirtieth, eighteen hundred and sixty, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 141, an Act to amend section eleven of an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty, report the same back, and recommend its passage.

PERKINS, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration the claim of R. M. Jessup, for money expended by him, during the Indian hostilities in Washoe, in behalf of the State, and beg leave to report the same back, with the accompanying bill, and recommend the passage of the bill ;

Also, claims to the amount of one hundred and ninety dollars and five cents, audited by the Board of Military Auditors, and report the same back, with the accompanying bill, and recommend the passage of the bill ;

Also, a petition from residents of Yuba County, asking for an appropriation to pay the claims of certain persons named therein, and report the same back, with the accompanying bill, and recommend the passage of the bill.

OULTON, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 22, an Act concerning officers ;

Also, Senate bill No. 13, an Act amendatory of and supplemental to an Act entitled an Act concerning offices, passed April twenty-eighth, eighteen hundred and fifty-one ;

Also, Senate bill No. 152, an Act to define the terms of office in this State, and fix the commencement thereof ; having had the same under consideration, report the same back, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment, to whom was referred Senate bill No. 147, an Act to incorporate the City of Placerville, and to extend the limits thereof, have examined the same, and find it correctly engrossed.

KUTZ, for Committee.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

Mr. PRESIDENT:—The Committee on Corporations, to whom was referred Assembly bill No. 99, an Act to amend an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, have had the same under consideration, and report the same back, and recommend its passage.

WHITING, Chairman.

Assembly bill No. 99, above reported, taken up, considered in Committee of the Whole, and laid on the table.

Mr. McNabb made the following report :

Mr. PRESIDENT:—The Sonoma delegation, to whom was referred Senate bill No. 150, report the same back, and recommend its passage as amended.

McNABB, for Delegation.

Mr. Saxton made the following report :

Mr. PRESIDENT:—The El Dorado and Placer delegations, to whom was referred Senate bill No. 168, an Act granting the right to construct and maintain a bridge across the American river, near Rattlesnake Bar, in the counties of Placer and El Dorado, report the same back, with an amendment, and recommend its passage as amended.

HARRIMAN,
HIGGINS,
HARVEY,
SAXTON.

Senate bill No. 68, above reported, was taken up and considered, amended, rules suspended, bill considered engrossed, read third time, and passed.

Mr. Wallis made the following report :

Mr. PRESIDENT:—The Santa Clara delegation, having had under consideration Senate bill No. 158, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all acts amendatory thereof, beg leave to report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By the Committee on Claims, for an Act to appropriate money to pay certain claims against the State for services and sundries furnished the State Reform School.

Read first and second times, and ordered on file.

Also, for an Act appropriating money to pay certain claims allowed by the Board of Military Auditors.

Read first and second times, and ordered on file.

Also, for an Act appropriating money to pay the claim of Richard M Jessup.

Read first and second times, and ordered on file.

By Mr. Saxton, for an Act to provide for the construction of a wagon

road from Georgetown, via the north side of Lake Bigler, to the Eastern boundary of the State.

Read first and second times, and referred to El Dorado and Placer delegations.

By Mr. Wallis, for an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county.

Read first and second times, and ordered on file.

By Mr. Clark, for an Act in relation to Library Associations.

Read first and second times, and referred to the Committee on State Library.

By Mr. Burnell, for an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador.

Read first and second times, and ordered on file.

By Mr. Holden, for an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arenas, in Mendocino County.

Read first and second times, and referred to the Committee on Commerce and Navigation.

GENERAL FILE.

Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May third, eighteen hundred and sixty-two—made special order for to-morrow at twelve o'clock.

Senate bill No. 93, an Act to provide a special fund for the construction of a State Capitol Building in the City of Sacramento—amended, rules suspended, bill considered engrossed, read third time.

On its passage, the ayes and noes were demanded, by Messrs. Gaskill, Bogart, and Chamberlain, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Booth, Burnell, Cavis, Chamberlain, Doll, Harriman, Harvey, Holden, Kutz, Lewis, Nixon, Oulton, Pacheco, Parks, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—22.

NOES—Messrs. Birdseye, Bogart, Clark, Cunningham, Gaskill, Hathaway, Higby, Higgins, and Wallis—9.

Mr. Abell paired off with Mr. Crane.

Senate concurrent resolution No. 17, relative to the currency of the State—amended, rules suspended, considered engrossed.

On its passage, the ayes and noes were demanded, by Messrs. Doll, Birdseye, and Bogart, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Crane, Cunningham, Doll, Gaskill, Harvey, Higby, Holden, Nixon, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Wallis—24.

NOES—None.

On motion of Mr. Holden, Assembly bill No. 229, an Act to authorize and require the Board of Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highways connecting Napa City and Lakeport—was taken up, rules suspended, bill read third time, and passed.

At four o'clock and twenty minutes P. M., on motion of Mr. Abell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Saturday, February 28th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

PETITIONS.

Mr. Clark presented a petition of citizens of Alameda County, against improving navigation of San Antonio creek.

Referred to Committee on Commerce and Navigation.

Mr. Burnell presented a petition of the Volcano Blues, indorsing the recommendation of Adjutant-General's report.

Referred to Committee on Military Affairs.

Mr. Vineyard was granted indefinite leave of absence, and Mr. Perkins leave for two days.

REPORTS.

Mr. Higgins, from the Committee on Mines and Mining Interests, made the following report:

MR. PRESIDENT:—The sub-committee, appointed by authority of the Senate to examine and report upon the progress made in the Geological Survey of the State, have discharged that duty as thoroughly as the limited time (one day) which your Committee felt at liberty to absent themselves from their seats in the Senate would permit, and beg leave to make the following report:

The first section of the Act of the Legislature of eighteen hundred and sixty, creating the office of State Geologist, makes it the duty of the State Geologist "to make an accurate and complete geological survey of the State, to furnish in his report of the same proper maps and diagrams thereof, with a full and scientific description of the rock, fossils, soils, and minerals, and of its botanical and zoological productions, together with specimens of the same." The magnitude of the work imposed upon the State Geologist by this Act, and the length of time required to collect and classify plants, rock, fossils, and minerals, so as to render the work of scientific or practical value, must be either imperfectly understood or entirely overlooked by those who complain that no practical good has yet been realized. The vast area of our State, embracing within its

limits nearly one hundred and ninety thousand square miles, a territory larger than the State of New York, with the whole of New England added to it, possessing every variety of climate, and producing bountifully the fruits of the tropics, and the grains and grasses of the more temperate latitudes; and underlying a large portion of this territory, are vast beds of minerals, comprising gold, silver, cinnabar, copper, coal, etc., all of which are to be examined, classified, and described, with such accuracy and care as to develop important truths, and withstand the test of the severest scientific criticism; and when we add to this the fact that many of the phenomena and formations on this side of the continent are entirely new, and untouched by former scientific investigations, the work of the State Geologist under the Act above referred to, seems to be one requiring a lifetime, rather than months, or even years, for its performance. The Legislature of last year, in addition to the appropriation of fifteen thousand dollars for the prosecution of the Survey, appropriated the sum of three thousand dollars to defray the expenses of publishing and engraving the first volume of the Geological History of the State; but from the lack of money in the State Treasury to meet such appropriations, the volume has not been published, although the matter is prepared, and the plates ready to be handed over to the publisher and engravers when there is money in the Treasury of the State to pay the cost of publication.

A general exploration has been made of about three fourths of the entire State, sufficient to acquire a general knowledge of its physical formation, general productions, and mineral resources and wealth; and a thorough and minute survey has been made of that portion of the State adjacent to the Bay of San Francisco, including the Counties of Santa Clara, Alameda, Contra Costa, Marin, Napa, Sonoma, San Mateo, and San Francisco. The first volume, which is now ready for publication, will contain a complete and accurate topographical and geological map of the section of the State above named, on a scale of six miles to the inch, together with a full description of the Mount Diablo coal region, and such general results as can be published before a minute survey of the State is completed.

The department of the Survey embracing the Agricultural resources and Botany of the State, is under the charge of Professor Brewer, who has made a collection of over fifteen thousand plants, useful and curious, which collection contains over two thousand distinct varieties or species, all of which are in an admirable state of preservation, and, as many of them are confined exclusively to this coast, will be of incalculable value in compiling a text book on Botany for use in the schools of the State.

In the department of Zoology but little has been done during the last year, and that little was done by Dr. Cooper, without compensation. Several thousand specimens of animals have been collected, varying from the lowest in rank up to the most highly organized, "from the humblest polyp to the most perfect vertebrate." In this department there is also a beautiful collection of shells, which have a very important bearing on the Geology of the State.

In the department of General Geology and Palæontology there are many rare and curious fossils, some of them of mammoth size, and of animals and fishes long since extinct; but as this department is suggestive only to those of scientific attainments, we do not deem it expedient to dwell upon it at length in this report.

The department of Metallurgy includes everything relating to the separation of metals from the ores in which they are found, and since the

recent and extensive discoveries of silver ore has become one of great importance, the want of a proper laboratory in which to analyze and experiment on ores is seriously felt, and one which interferes materially with the usefulness of this department.

Were it possible to provide a suitable laboratory, in which newly discovered ores could be tested, and the cost of separating their metals estimated by a competent and disinterested metallurgist, much delay, trouble, and expense might be saved to discoverers anxious to know the truth. By making an appropriation of six thousand dollars, besides the salary of the State Geologist—six thousand more—making a total appropriation of twelve thousand dollars, Professor Whitney thinks the work may be prosecuted for another year, although a larger sum could be used with greater proportionate advantage to the State. And your committee recommend that the sum of twelve thousand dollars be appropriated for this purpose.

In recommending the foregoing appropriation, your committee have not been unmindful of the embarrassed condition of the Treasury, and the increase of taxation required to place our State finances on a cash basis; but they have also borne in mind that if this work is suspended now, the State will, in a great measure, lose the benefit of the labor already performed. In reducing the appropriation to twelve thousand dollars, it will be necessary to curtail the present plan of the State Geologist, and dispense with at least one of his assistants; but the expenditure of that sum during the next year, will prevent this work, so conducive to the general interests of the State and the advancement of science, from being wholly discontinued.

All of which is respectfully submitted.

OULTON,
HIGGINS.

Nine hundred and sixty copies of the above report were ordered printed.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 163, An Act to change the name of Victor Desire to William Henry Roberts, having had the same under consideration, report it back, without recommendation;

Also, Senate bill No. 169, an Act respecting the fees of Court Commissioners, report the same back, amended, and recommend its passage as amended.

VAN DYKE, Chairman.

Mr. McNabb made the following report:

MR. PRESIDENT:—The Sonoma delegation, to whom was referred Senate bill No. 144, amending an Act to allow certain parties to lay down a railroad track in the county road of Sonoma, and certain streets in the City of Petaluma, report the same back, and recommend its passage.

McNABB, for Delegation.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

Mr. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill [No.] 118, an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne river, in the Counties of Calaveras and Amador;

Also, Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, Senate bill No. 103, an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor and Treasurer of the City and County of San Francisco, also amendatory of an Act, approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors, and Auditor, and County Treasurer, of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty;

Also, Senate bill No. 104, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven;

Also, Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Tide, and Salt Marsh Lands;

Also, Senate bill No. 106, an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight;

Also, Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in San Luis Obispo County;

Also, Senate bill No. 148, an Act to authorize Ephraim J. Dodge, Administrator of the estate of James W. Clark, to sell and convey the realty belonging to said estate;

Also, Senate concurrent resolution No. 17, relative to the currency of the State;

Also, Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers.

BURNELL, Chairman.

Mr. Higby made the following report:

Mr. PRESIDENT:—The Calaveras delegation have had under consideration Senate bill No. 159, referred to them, and return the same, and recommend its passage as amended.

HIGBY, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 27th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate

bill No. 41, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof;

Also, Senate bill No. 86, an Act supplementary to an Act entitled an Act to authorize the County of San Joaquin to issue bonds for agricultural uses, approved February fifth, eighteen hundred and sixty-three;

Also, Senate bill No. 105, an Act concerning the office of County Assessor for Butte County.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, }
February 28th, 1863. }

MR. PRESIDENT:—The Assembly, on the twenty-sixth instant, amended and passed Senate bill No. —, substitute for Assembly bill No. 30, an Act to amend an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six;

Also, same day, passed Senate bill No. 14, an Act to amend an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, same day, passed Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty;

Also, on the twenty-seventh instant, passed Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty;

Also, same day, passed Senate bill No. 83, an Act to amend an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one;

Also, on the twenty-sixth instant, passed Senate bill No. 110, an Act to authorize the Board of Supervisors of Trinity County to levy a special tax for County Building Fund;

Also, February twenty-seventh, passed and amended title of Senate bill No. 115, an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city;

Also, February twenty-seventh, passed Senate bill No. 137, an Act to repeal section one of an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the records and ascertain the present existing debt of said county, and to allow a reasonable compensation for the same; and also to allow a reasonable compensation for the examination already made of the tax rolls of said county for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty;

Also, February twenty-sixth, passed Assembly bill No. 59, an Act concerning the fees of the Tax Collector of the City and County of San Francisco on the collection of the delinquent taxes of the fiscal years of eighteen hundred and fifty-six and eighteen hundred and fifty-seven, eighteen hundred and fifty-seven and eighteen hundred and fifty-eight,

and eighteen hundred and fifty-eight and eighteen hundred and fifty-nine ;

Also, February twenty-sixth, passed Assembly bill No. 63, an Act to exempt certain property belonging to the Esmeralda Rifle Company from taxation ;

Also, February twenty-seventh, passed Assembly bill No. 65, an Act to regulate the fees of the County Clerk of El Dorado County in civil cases ;

Also, February twenty-seventh, passed Assembly bill No. 88, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, February twenty-sixth, passed Assembly bill No. 108, an Act to provide for the better collection of delinquent taxes in the County of Yuba ;

Also, February twenty-sixth, passed Assembly bill No. 132, an Act to direct the Controller of State in relation to drawing his warrants on the State Treasury ;

Also, February twenty-sixth, passed Assembly bill No. 172, an Act to amend an Act to fix the time of holding the County Court and Court of Sessions in Solano County, approved March twentieth, eighteen hundred and sixty ;

Also, February twenty-sixth, passed Assembly bill No. 179, an Act to repeal an Act entitled an Act to authorize the incorporation of the City of San Bernardino, passed April thirteenth, eighteen hundred and fifty-four ;

Also, February twenty-sixth, passed Assembly bill No. 186, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, February twenty-sixth, passed Assembly bill No. 188, an Act to repeal an Act entitled an Act to attach certain territory to the City of Sacramento for school purposes, approved February twenty-third, eighteen hundred and fifty-nine ;

Also, February twenty-sixth, passed Assembly bill No. 193, an Act concerning roads and highways in the County of Tuolumne ;

Also, February twenty-sixth, passed Assembly bill No. 194, an Act to provide the manner of drawing, summoning, and forming Grand Juries in the County of Tuolumne ;

Also, February twenty-sixth, passed Assembly bill No. 195, an Act to fix the salary of the County Judge of San Joaquin County.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 59, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 63, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 88, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 65, above reported, read first and second times, and referred to the El Dorado delegation.

Assembly bill No. 108, above reported, read first and second times, and referred to the Yuba delegation.

Assembly bill No. 132, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 172, above reported, read first and second times, and referred to the Solano delegation.

Assembly bill No. 179, above reported, read first and second times, and referred to the San Bernardino delegation.

Assembly bill No. 186, above reported, read first and second times, and referred to the Placer delegation.

Assembly bill No. 188, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 193, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Assembly bill No. 194, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 195, above reported, read first and second times, and ordered on file.

Mr. Hathaway introduced a bill for an Act to amend an Act entitled an Act concerning passengers arriving in the ports of this State, approved May third, eighteen hundred and fifty-two.

Read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 99, an Act to amend an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, was taken from the table, read third time, and passed.

Mr. Gaskill offered the following resolution :

Resolved, That the Finance Committee be authorized to go to San Francisco for the purpose of examining the books and accounts of the several officers to which their attention was directed by resolutions which have passed the Senate.

Mr. Cunningham offered the following amendment: "*Provided*, that no mileage shall be allowed said committee"

Amendment adopted.

Resolution passed.

SPECIAL ORDER.

Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May third, eighteen hundred and sixty-two—considered in Committee of the Whole, amended, rules suspended, considered engrossed, read third time, and passed.

Mr. Lewis gave notice of a motion to reconsider the vote whereby Mr. Gaskill's resolution, above mentioned, was passed.

GENERAL FILE.

Senate bill No. 11, amendment to the Constitution—ordered to top of file for Wednesday, March fourth.

Senate bill No. 1, an Act to amend an Act to define the Senate and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one—

amended, rules suspended, considered engrossed, read third time, and passed.

Assembly joint resolution No. 1, declaratory of the adoption of the amendments to the Constitution proposed by the Legislature at its twelfth session—the Senate refused to recede from its amendments, and on motion, Messrs. Van Dyke, Parks, and McCullough, were appointed, on behalf of the Senate, a Committee of Conference on the disagreement between the two Houses, and the Assembly was asked to appoint a like committee.

Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject—returned to file.

Senate bill No. 143, an Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and fifty-one—Senate refused to order the bill engrossed.

At three o'clock and thirty minutes P. M., on motion of Mr. Higgins, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Monday, March 2d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of Saturday last read and approved.

Messrs. Perkins, Shannon, Birdseye, Pacheco, Crane, and Clark, were granted one day leave of absence, each.

PETITIONS.

Mr. Holden presented a petition from citizens of Mendocino County, for a repeal of the township law, so far as the same relates to Mendocino County.

Laid on the table.

Mr. Hathaway presented a petition from citizens of San Francisco, asking a repeal of the Wood Measurer's law.

Referred to the San Francisco delegation.

REPORTS.

Mr. Porter of Contra Costa, from the Marin delegation, made the following report :

Mr. PRESIDENT :—The Marin delegation, having had under considera-

tion Assembly bill No. 148, an Act to re-locate the county seat of Marin County by the qualified voters of said county, ask leave to report the same back, with a recommendation that it pass, with an amendment to the title by striking out in first line the word "re-locate," and inserting the words "provide for re-locating."

PORTER, for Delegation.

Assembly bill No. 148, above reported, considered in Committee of the Whole, read third time, and passed, and title amended as recommended.

Mr. Bogart, from the San Bernardino delegation, made the following report :

MR. PRESIDENT :—The delegation of San Bernardino have had Assembly bill No. 179 under consideration, report the same back, and recommend its passage.

BOGART, for Delegation.

Assembly bill No. 179, above reported, considered in Committee of the Whole, read third time, and passed.

Mr. Lewis, pursuant to notice, now moved to reconsider the vote by which the resolution of Mr. Gaskill was adopted on Saturday.

Vote reconsidered.

Mr. Gaskill offered the following substitute :

Resolved, That the Finance Committee be authorized to go to San Francisco, to examine the books, papers, and all financial matters connected with the duties of the several officers to which their attention was directed by resolutions that have passed the Senate.

Mr. Cunningham offered the following amendment :

Strike out all after the word "*Resolved*," and insert : "That the Finance Committee be and are hereby discharged from the further consideration of all matters referred to them by resolution, except so far as relates to the Clerk of the Supreme Court, and that so much as relates to the Commissioners of Immigration be referred to the Judiciary Committee, and so much as relates to the State Guager to Committee on Commerce and Navigation."

Amendment lost.

Substitute adopted.

Mr. Hathaway offered the following resolution :

WHEREAS, Messrs. Pacheco and McNabb, appointed members on the Committee on Translation, are now absent from the State Capitol; and,

WHEREAS, this being the day prescribed by law to select proposals for the translation into Spanish of the laws passed by the present Legislature; be it, therefore,

Resolved, By the Senate, that the President appoint two Senators to act as members of said committee, in place of the two absentees.

Lost.

REPORTS.

Mr. Anderson made the following report :

MR. PRESIDENT :—The delegation of Sierra County, to whom was re-

ferred Assembly bill No. 102, an Act to incorporate the Town of Downieville;

Also, Assembly bill No. 103, an Act to establish and regulate the Fire Department of the Town of Downieville, have had the same under consideration, report them back, and recommend their passage.

ANDERSON, for Delegation.

Mr. Abell, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:—The Committee on Education have had under consideration Assembly bill No. 42, an Act concerning the School Fund of the State of California, and have directed me to report the same back, with a substitute, the passage of which they recommend.

ABELL, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 28th, 1863. }

To the Honorable the Senate of California:

I return herewith to the Senate, without my approval. Senate bill No. 43, an Act supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, A. D. eighteen hundred and sixty-two. .

Without passing at all upon the merits of this bill, my reasons for returning it without my approval are; that it is a bill of a local character, about which the immediate representatives of that locality are not agreed, and that one branch of the Legislature has passed a resolution requesting its return; and further, because I am informed that the Legislature has another bill under consideration embracing the subject matter.

LELAND STANFORD, Governor.

The question being—"Shall the bill pass, notwithstanding the veto of the Governor?" the ayes and noes were taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Burnell, Harvey, Holden, Lewis, Oulton, Parks, Porter of Contra Costa, Shurtleff, and Whiting—14.

NOES—Messrs. Chamberlain, Cunningham, Hathaway, Higby, Higgins, Kutz, Saxton, and Wallis—8.

So the veto was sustained.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, }
March 2d, 1863. }

MR. PRESIDENT:—The Assembly, on the twenty-eighth ultimo, passed

Assembly bill No. 10, an Act to authorize the Common Council of the City of Placerville to subscribe one hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto;

Also, same day, passed Assembly bill No. 205, an Act to provide for the better maintenance of the indigent sick of the County of Shasta;

Also, same day, passed Assembly concurrent resolution No. 30, relative to purchase of legal tender notes by the State Treasurer.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 10, above reported, read first and second times, and placed on file.

Assembly bill No. 205, above reported, read first and second times, and referred to the Committee on State Hospitals.

Assembly concurrent resolution No. 30, above reported, read first and second times, and laid on the table.

Mr. Kutz, from the Committee on Engrossment, made the following report:

Mr. PRESIDENT:—The Committee on Engrossment have compared, and found correctly engrossed, Senate bill No. 124, an Act concerning roads and highways in the County of Nevada;

Also, Senate bill No. 120, an Act authorizing the Board of Supervisors for Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Anna, Eagle, and Marble Mines Road;

Also, Senate bill No. 95, an Act to grant the right to construct a turnpike between the Town of Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono, and find that in section one, line four of the original bill, the name of C. C. Brickman occurs, while in the engrossed bill, it is C. C. Buckman, with that exception, the bill is correctly engrossed;

Also, Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of this State, passed February twentieth, eighteen hundred and fifty-seven, and in section three, line ten, of the original bill we find the word "thirtieth," which in the engrossed bill is "thirteenth," otherwise the bill is correctly engrossed.

KUTZ, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Shurtleff, for an Act to fix the salary of the District Attorney of the County of Shasta.

Read first and second times, and placed on file.

By Mr. Baker, for an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

Read first and second times, and referred to the Committee on Corporations.

Also, for an Act to amend an Act entitled an Act to provide for the

reclamation and segregation of Swamp and Overflowed, Marsh, and Tide Lands, donated to the State of California by Act of Congress, passed May thirteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

Also, for an Act to amend an Act entitled an Act to provide for the incorporation of wagon road companies, passed April twenty-second, eighteen hundred and fifty-three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Holden, for an Act to provide for the punishment of persons cutting timber upon, or carrying the same, when cut down, from any of the Swamp and Overflowed, Tide, or Marsh, or School Lands of this State.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

Mr. Porter of Contra Costa offered a concurrent resolution relative to this State's title to lands at Point San Quentin.

Adopted.

Mr. Hathaway made the following report:

MR. PRESIDENT:—Your Committee, to whom was referred Senate bill No. 139, have had the same under consideration, and most respectfully report the same back, without recommendation.

HATHAWAY, for Committee.

Brigadier-General Wright being present, was, on motion of Mr. Porter of Contra Costa, invited to a seat within the bar of the Senate.

GENERAL FILE.

Senate bill No. 55, an Act making an appropriation for the payment of the expenses growing out of the indictment and trial of Horace Smith for the crime of murder—substitute adopted, rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 135, an Act to amend an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 174, an Act appropriating money to pay the claim of Richard M. Jessup—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 171, an Act to appropriate money to pay certain claims against the State for services and sundries furnished the State Reform School—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 154, an Act to amend an Act to limit the time for the presentation of claims against counties, and for receiving payment for the same—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 175, an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 161—returned to file.

Senate bill No. 136—returned to file.

Senate bill No. 177—returned to file.

Assembly bill No. 149—returned to file.

Senate bill No. 151, an Act to amend an Act to authorize the Board of Supervisors of Calaveras County to issue bonds, not to exceed the sum of six thousand dollars, and to dispose of the same for road purposes, approved March sixteenth, eighteen hundred and sixty-two—indeinitely postponed.

Assembly bill No. 170, an Act creating a Contingent Fund for Trinity County—read third time, and passed.

Assembly bill No. 151, an Act amendatory of and supplementary to an Act entitled an Act to fund the indebtedness of the County of Los Angeles now existing in the form of County Auditor's warrants, or that may be outstanding on the first day of July, A. D. eighteen hundred and sixty-one, or warrants issued for indebtedness accruing prior to the first day of July, eighteen hundred and sixty-one, and to provide for the payment of the same, approved April fifth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 182, an Act to amend an Act entitled an Act to re-incorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 128, an Act to amend an Act entitled an Act to regulate the settlements of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereof—read third time, and passed.

Senate bill No. 173, an Act appropriating money to pay certain claims allowed by the Board of Military Auditors—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 158, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all other Acts amendatory thereof—amended, ordered engrossed, and read third time.

Senate bill No. 170, an Act to amend an Act entitled an Act concerning officers, passed April twenty-eighth, eighteen hundred and fifty-one, and other Acts amendatory thereof—the three original bills and the substitute were, on motion of Mr. Hathaway, laid on the table, and the usual number of copies of each ordered printed.

Senate bill No. 150, an Act to authorize the levy of a special property tax in the County of Sonoma, for the establishment and maintenance of roads and bridges—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 128—returned to the file.

Senate bill No. 144—returned to the file.

Assembly bill No. 139—returned to the file.

Assembly bill No. 84—returned to the file.

Senate bill No. 136, an Act to amend an Act to provide revenue for the support of the government of this State, passed April thirtieth, eighteen hundred and sixty—indeinitely postponed.

Senate bill No. 141, an Act to amend section eleven of an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty—ordered engrossed, and read third time.

Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in San Louis Obispo County—read third time, and passed.

Senate bill No. 15, an Act concerning forcible entries and unlawful

detainers, and to repeal all other Acts on the same subject—read third time, and passed.

Senate bill No. 159, an Act to fund the indebtedness of Calaveras County contracted since the first of January, eighteen hundred and sixty-one, and before the passage of this Act, and to provide means for the payment of the same—amended, rules suspended, considered engrossed, read third time, and passed, and the title amended.

Mr. Whiting introduced a bill for an Act to authorize John F. Hill, William Bryan, and James P. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect toll thereon.

Read first and second times, and referred to San Francisco delegation.

At three o'clock and forty minutes P. M., on motion of Mr. Holden, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Tuesday, March 3d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

PETITIONS.

Mr. Burnell presented a petition from citizens of Amador County, asking a change in the laws concerning jurors.

Referred to the Judiciary Committee.

Also, a petition from citizens of Amador County, asking for a registry law.

Referred to the Committee on Elections.

REPORTS.

Mr. Shurtleff, Chairman of the Committee on Mileage, made the following report:

MR. PRESIDENT:—The Committee on Mileage report fifty-two dollars due Senators Nixon, Porter of Contra Costa, Porter of Santa Cruz, Shannon, Powers, Harriman, and Hathaway, each, as mileage for travelling to and from San Quentin while in the performance of committee duties. The committee therefore recommend the adoption of the accompanying resolution:

Resolved, That fifty-two dollars, payable out of the Contingent Fund of the Senate, be allowed to Senators Nixon, Porter of Contra Costa, Porter of Santa Cruz, Shannon, Powers, Harriman, and Hathaway, each, as mileage for traveling to and from San Quentin while in the discharge of committee duties.

SHURTLEFF, Chairman.

Adopted.

Mr. Powers made a verbal report, recommending the passage of Assembly bill No. 172, an Act to amend an Act entitled an Act to fix the time of holding the County Court and Court of Sessions in Solano County, approved March twentieth, eighteen hundred and sixty.

Assembly bill No. 172, above reported, was, the rules being suspended, read third time, and passed.

Mr. Pacheco, Chairman of the Committee on Military Affairs, made the following report :

Mr. PRESIDENT:—Your Committee on Military Affairs, to whom was referred Assembly concurrent resolution No. 24, relative to supplies for Indian Reservations in eighteen hundred and fifty-nine and eighteen hundred and sixty, have considered the same, and report it back, together with an amendment, and recommend its passage as amended.

PACHECO, Chairman.

Mr. Saxton, from the Committee on Engrossment, made the following report:

Mr. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, the following bills:

Senate bill No. 155, an Act fixing the time for holding the terms of the District Court in Lake County;

Also, Senate bill No. 119, an Act concerning records of District Courts;

Also, Senate bill No. 107, an Act explanatory of and supplementary to an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two;

Also, Senate bill No. 156, an Act to amend an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said county, approved February twenty-seventh, eighteen hundred and sixty-two;

Also, Senate bill No. 91, an Act to amend the Civil Practice Act of this State, in relation to attachments;

Also, Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May second, eighteen hundred and sixty-two.

SAXTON, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Abell, for an Act to exempt from taxation certain property of the Society of California Pioneers.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and the Forty-Fifth Rule suspended.

By Mr. Wallis, for an Act to provide for the retention of the hides of cattle killed or slaughtered in certain counties of this State.

Read first and second times, and ordered on file.

By Mr. Crane, by request, for an Act to regulate the payment of losses on policies of insurance made by foreign insurance companies.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil actions in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Holden, for an Act to confer further powers upon the Board of Supervisors of Mendocino County.

Read first and second times, and ordered on file.

By Mr. Oulton, for an Act to authorize the Treasurer of State to issue certain war bonds.

Read first and second times, and referred to the Committee on Claims.

Mr. Wallis offered the following resolution :

Resolved, That a committee of three be appointed by the Chair, on the journals of the Senate, and the said committee be empowered to authorize the Journal Clerk of the Senate to employ an Assistant when, in their judgment, the said Clerk requires an Assistant.

Adopted.

Messrs. Wallis, Chamberlain, and Van Dyke, were appointed as such committee.

On motion of Mr. Porter of Santa Cruz, Assembly concurrent resolution No. 30, relative to investigating the "Greenback transaction," was taken from the table.

Mr. Porter of Santa Cruz offered a substitute.

Lost.

Resolution adopted.

GENERAL FILE.*

Assembly bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—amended, read third time, and passed.

Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—amended, and referred to the Committee on Elections.

Assembly bill No. 92, an Act to provide for special elections for Superintendent of Public Instruction and judicial officers—bill considered in Committee of the Whole, and the following amendment reported to the Senate :

Strike out section one, and insert words as follows : "There shall be held throughout the State, on the third Wednesday in October, in the year one thousand eight hundred and sixty-three, and every two years thereafter, an election, to be called the Special Judicial Election, at which shall be elected Justices of the Supreme Court, District Judges, County Judges, and all other judicial officers required by law to be

chosen at such election; and, also, a Superintendent of Public Instruction. At such election no officer other than judicial shall be elected, except said Superintendent of Public Instruction."

Upon the adoption of the amendment, the ayes and noes were demanded, by Messrs. Kutz, Oulton, and Parks, and taken, with the following result:

AYES—Messrs. Abell, Baker, Bogart, Cavis, Chamberlain, Clark, Crane, Harriman, Hathaway, Higby, Higgins, Holden, Lewis, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Powers, Shannon, Vineyard, Wallis, and Whiting—23.

NOES—Messrs. Anderson, Booth, Harvey, Kutz, McCullough, Porter of Santa Cruz, Saxton, Shurtleff, and Van Dyke—9.

The bill, as amended, was read third time, and passed, and title amended.

Assembly bill No. 195, an Act to fix the salary of the County Judge of the County of San Joaquin—read third time, and passed.

Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of this State, passed February twentieth, eighteen hundred and fifty-seven—read third time, and passed.

Senate bill No. 169, an Act respecting the fees of Court Commissioners—amended, and ordered engrossed.

Senate bill No. 128, an Act to authorize the State to assist in the construction of a railroad to connect the State of Oregon with the Central Pacific Railroad, and create a debt for that purpose—indefinitely postponed.

At three o'clock and forty-five minutes P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 4th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

PETITIONS.

Mr. Abell presented a petition of Dr. S. M. Mouser, for payment for services in assisting the Resident Physician of State Prison.

Referred to Committee on Claims.

Mr. Whiting presented a petition of citizens of San Francisco, for repeal of the Wood Measurer's law.

Referred to San Francisco delegation.

Mr. Burnell presented a petition of citizens of Amador County, for a change of the jury law.

Referred to the Judiciary Committee.

Also, a petition of citizens of Amador County, for a registry law.

Referred to Committee on Elections.

REPORTS.

Mr. Shurtleff, Chairman of the Committee on Mileage, made the following report :

MR. PRESIDENT:—The Committee on Mileage report twenty-two dollars and forty cents due Senators Nixon and Powers, each, on mileage, for traveling to and from the State Reform School, near Marysville, while on committee duty. The committee therefore recommend the adoption of the following resolution :

Resolved, That twenty-two dollars and forty cents, payable out of the Contingent Fund of the Senate, be allowed Senators Nixon and Powers, each, as mileage for travelling to and from the State Reform School, near Marysville, while on committee duty.

SHURTLEFF, Chairman.

Adopted.

Mr. Saxton, Chairman of the Select Committee, consisting of the El Dorado and Placer delegations, made the following report :

MR. PRESIDENT:—The Select Committee, consisting of the El Dorado and Placer delegations, to whom was referred Senate bill No. 172, an Act to provide for the construction of a wagon road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State, having had the same under consideration, report the same back, with amendments, and recommend its passage.

SAXTON, Chairman.

Senate bill No. 172, above reported, amended, rules suspended, bill considered engrossed, read third time, and passed.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 126, an Act to amend an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine ;

Also, Senate bill No. 168, an Act granting the right to construct and maintain a bridge across the American river, near Rattlesnake Bar, in the Counties of Placer and El Dorado ;

Also, Senate bill No. 142, an Act to regulate fees in office in the Counties of Shasta and Trinity ;

Also, Senate bill No. 49, an Act to audit and allow the claim of J. C. Doherty.

BURNELL, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
March 3d, 1863. }

Mr. PRESIDENT :—The Assembly, on yesterday, passed Senate bill No. 8, an Act for the relief of Manasseh Sleeper, Tax Collector of Siskiyou County ;

Also, on same day, indefinitely postponed Senate bill No. 73, an Act authorizing the Guardian of Frederico Alvarado, a minor, to sell real estate ;

Also, on same day, passed Assembly bill No. 162, an Act concerning redemptions of real estate in certain cases ;

Also, on February twenty-sixth, passed Assembly bill No. 232, an Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads in the County of Santa Cruz ;

Also, a Committee of Free Conference on the disagreeing vote of the two Houses on the Senate amendment to Assembly joint resolution No. 1, declaratory of the adoption of the Amendments to the Constitution proposed by the Legislature at its twelfth session, was appointed, consisting of Messrs. Hartson, Sanderson, and Wright of Del Norte ;

Also, this day, passed Senate bill No. 103, an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor and Treasurer of the City and County of San Francisco, also amendatory of an Act, approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors and Auditor and County Treasurer of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty ;

Also, this day, passed Senate bill No. 104, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven ;

Also, this day, passed Senate bill No. 106, an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight ;

Also, this day, passed Senate bill No. 147, an Act to incorporate the City of Placerville, and to extend the limits thereof, and amended the title ;

Also, this day, passed Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and sixty-two ;

Also, this day, passed Assembly bill No. 93, an Act for the payment of William A. Cornwall ;

Also, this day, passed Assembly bill No. 213, an Act concerning certain salaries in the County of Santa Barbara.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 162, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 232, above reported, read first and second times, and referred to the Santa Cruz delegation.

Assembly bill No. 75, above reported, read first and second times, and referred to the Sutter delegation.

Assembly bill No. 93, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 213, above reported, read first and second times, and ordered on file.

Assembly amendment to Senate bill No. 147, above reported, concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wallis, for an Act to exempt the homestead property of General John A. Sutter from taxation.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Whiting, for an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Holden, for an Act concerning the offices of Sheriff, County Clerk, County Treasurer, District Attorney, County Assessor, and Superintendent of Public Instruction, of Mendocino County.

Read first and second times, and referred to the Mendocino delegation.

GENERAL FILE.

Senate bill No. 134, an Act to authorize the Board of Supervisors of Stanislaus County to appropriate the sum of two thousand one hundred and eighteen dollars to pay the claim of George E. Drew, for surveying the boundary line of a portion of San Joaquin County annexed to Stanislaus County—ordered to top of file for Tuesday, March tenth.

Senate bill No. 51, an Act relating to lands owned or claimed by tenants in common—laid on the table.

Senate bill No. 11, Amendments to the Constitution—amended, and ordered to top of file for Friday, March sixth.

Senate bill No. 95, an Act to grant the right to construct a turnpike between Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono—read third time, and passed.

Senate bill No. 144, an Act to amend an Act entitled an Act to grant H. J. May, Charles M. Baxter, William Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two—ordered engrossed, and read third time.

Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty—amended, read third time, and passed.

Senate bill No. 177, an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 161, an Act to amend an Act fixing the salaries of State officers and Clerks, passed May sixth, eighteen hundred and sixty-one—rules suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 103, an Act to establish and regulate the Fire Department of the Town of Downieville—read third time, and passed.

Assembly bill No. 10, an Act to authorize the Common Council of the City of Placerville to subscribe one hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto—read third time, and passed.

Assembly bill No. 149, an Act to amend an Act entitled an Act in relation to the county officers of Sierra County, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory of the same, approved April third, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 102, an Act to incorporate the Town of Downieville—read third time, and passed.

Assembly bill No. 139, an Act to legalize and provide for the collection of delinquent taxes in the several counties of this State—indefinitely postponed.

Senate bill No. 139—returned to the file.

Assembly bill No. 84—returned to the file.

Assembly bill No. 42, an Act concerning the School Fund of the State of California—laid on the table.

Senate bill No. 183, an Act to fix the salary of the District Attorney of Shasta County—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 188, an Act to confer further powers upon the Board of Supervisors of Mendocino County—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 189, an Act to provide for the retention of hides of cattle killed or slaughtered in certain counties of this State—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly concurrent resolution No. 24, relative to supplies for Indian Reservations in eighteen hundred and fifty-nine and eighteen hundred and sixty—amended.

Pending further consideration, Mr. Oulton moved a call of the Senate. Carried.

The following Senators were absent without leave: Messrs. Baker, Bogart, Booth, Harriman, Harvey, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Van Dyke, Vineyard, and Whiting.

The Sergeant-at-Arms was dispatched for the absentees.

Messrs. Harriman and Bogart, appearing at the bar, were admitted.

Pending the call, at one o'clock and forty-five minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE

SENATE CHAMBER,
Thursday, March 5th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

PETITIONS.

Mr. McNabb presented a petition of citizens of Sonoma Township, asking for the extension of the law in regard to hogs found running at large, over said township.

Referred to Sonoma delegation.

Mr. Holden presented a claim of the Sergeant-at-Arms, for papers furnished Senators at the present session.

Referred to Committee on Contingent Expenses;

Also, a claim of Sergeant-at-Arms, for papers furnished Senators at the thirteenth session.

Referred to Committee on Claims.

Mr. Burnell presented a petition of citizens of Amador County, for change of election law.

Referred to Committee on Elections.

Also, a petition of citizens of Amador County, for change in jury law.

Referred to Judiciary Committee.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 130, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto, having had the same under consideration, report it back, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Pacheco made a verbal report, recommending amendments to and passage of Senate bill No. 164, an Act to incorporate the town of San Luis Obispo.

Mr. Wallis, from the Santa Clara delegation, made the following report:

MR. PRESIDENT:—The Santa Clara delegation, having had under consideration Assembly bill No. 17, an Act to re-district the County of Santa Clara, and provide for the election of Supervisors, beg leave to report the same back, and recommend that it be indefinitely postponed.

WALLIS, for Delegation.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, the following bills :

Senate bill No. 158, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof;

Also, Senate bill, No. 175, an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador;

Also, Senate bill No. 1, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one;

Also, Senate bill No. 184, an Act appropriating money to pay the claim of Richard M. Jessup.

KUTZ, for Committee.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 4th, 1863. }

To the Honorable the Senate of California:

As required by the provisions of an Act making appropriations for the support of the civil government of this State for the fourteenth fiscal year, approved May fourteenth, eighteen hundred and sixty-two, I have the honor to report that I have expended, from the appropriation of five thousand dollars for Special Contingent Fund of the Governor's office, the following amounts, and for the purposes set forth :

1862.		
July 21.	Services and expenses of Agent to Sonoma County, relative to Settlers' difficulties.....	\$300 00
Aug. 15.	Services and expenses of Agent to scene of Indian difficulties in Owen's Lake Valley.....	250 00
Aug. 15.	Services and expenses of Messenger to State Insane Asylum.....	100 00
Oct. 11.	Part payment of Agent on official business to the County of Los Angeles.....	200 00
Nov. 20.	Balance paid Agent to Los Angeles County.....	150 00
Nov. 20.	Expenses of an Agent on an official visit to the State Reform School.....	53 25
Dec. 16.	Expenses of an Agent to Healdsburg and vicinity, relative to Settlers' difficulties.....	177 00
	Total	\$1,230 25

LELAND STANFORD, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, March 4th, 1863. }

To the Honorable the Senate of California :

I herewith transmit to your honorable body the " Report of the Recording Secretary of the State Agricultural Society for 1862." There being but one copy of this report, the Senate is respectfully requested to inform the Assembly of its reception.

LELAND STANFORD, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGES.

The message relating to contingent expenses of Governor's office was referred to Committee on Finance.

The report of Recording Secretary of the State Agricultural Society was referred to the Committee on Agriculture.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
 March 3d, 1863. }

Mr. PRESIDENT :—The Assembly concurred in Senate concurrent resolution No. 18, relative to the State's title to lands at Point San Quentin, and directing the Attorney-General to investigate the same.

W. N. SLOCUM,
 Assistant Clerk.

ASSEMBLY CHAMBER, }
 March 4th, 1863. }

Mr. PRESIDENT :—The Assembly, on the twenty-sixth of February, passed Assembly bill No. 9, an Act to authorize the Board of Supervisors of the County of El Dorado to subscribe two hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto ;

Also, passed Assembly bill No. 161, an Act to amend an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to compromise and settle certain claims to real estate, and to convey such real estate pursuant thereto, approved April fourteenth, eighteen hundred and sixty-two ;

Also, February twenty-seventh, passed Assembly bill No. 216, an Act for the relief of D. W. Standeford, Deputy Tax Collector of Foreign Miners' Licenses in El Dorado County ;

Also, February twenty-seventh, passed Assembly bill No. 222, an Act to change the name of James Gilmore to Henry James Reese ;

Also, this day, adopted Assembly concurrent resolution No. 31, relative to the survey of the Hog's Back by Sam Soule.

W. N. SLOCUM,
 Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 216, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 161, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 222, above reported, read first and second times, and ordered on file.

Assembly bill No. 9, above reported, read first and second times, and referred to El Dorado delegation.

Assembly concurrent resolution No. 31, above reported, considered.

Mr. Holden moved to strike out "Sam Soule," and insert "the Surveyor-General of the State."

Upon which, the ayes and noes were demanded, by Messrs. Crane, Lewis, and McNabb, and taken, with the following result :

AYES—Messrs. Anderson, Bogart, Crane, Harvey, Higgins, Kutz, Lewis, McNabb, Parks, Saxton, and Whiting—11.

NOES—Messrs. Abell, Baker, Booth, Burnell, Cavis, Chamberlain, Clark, Gaskill, Harriman, Hathaway, Higby, Holden, McCullough, Oulton, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Shurtleff, Van Dyke, and Wallis—21.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Gaskill, Holden, and Lewis, and taken, with the following result :

AYES—Messrs. Abell, Booth, Clark, Harriman, and Powers—5.

NOES—Messrs. Anderson, Bogart, Burnell, Cavis, Chamberlain, Crane, Gaskill, Harvey, Hathaway, Higby, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—29.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Porter of Contra Costa, for an Act to secure the payment of the indebtedness of the County of Alameda to the County of Contra Costa.

Read first and second times, and referred to the Committee on Claims.

By Mr. Parks, for an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to the State of California by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

By Mr. McCullough, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly concurrent resolution No. 24, relative to supplies for Indian Reservations—read third time, and passed.

Senate bill No. 91, an Act to amend the Civil Practice Act of this State in relation to attachments—read third time, and passed.

Senate bill No. 119, an Act concerning records of District Courts—read third time, and passed.

Senate bill No. 126, an Act to amend an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine—read third time, and passed.

Senate bill No. 49, an Act to audit and allow the claim of J. C. Doherty—read third time, and passed.

Senate bill No. 163, an Act to change the name of Victor Desere to William Henry Roberts—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 142, an Act to regulate fees in office in the Counties of Shasta and Trinity—amended by unanimous consent, read third time, and passed.

Mr. Parks gave notice of a motion to change the Forty-Fifth Rule of the Senate, requiring all bills to be engrossed.

Assembly bill No. 84, an Act to provide for the better keeping, protection, and disbursement of public moneys—amended.

On its passage, the ayes and noes were demanded by Messrs. Gaskill, Wallis, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Bogart, Burnell, Chamberlain, Clark, Gaskill, Harriman, Harvey, Higgins, Holden, McCullough, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Saxton, and Van Dyke—19.

NOES—Messrs. Cavis, Higby, Kutz, Powers, and Wallis—5.

Mr. Gaskill gave notice of a motion to reconsider to-morrow.

On motion of Mr. Parks, Senate bill No. 96, above mentioned—taken up, and the title amended.

Assembly bill No. 213, an Act concerning certain salaries in the County of Santa Barbara—read third time, and passed.

Senate bill No. 139, an Act to provide for the pauper sick of Tehama County—laid on the table.

Mr. Clark, by leave, introduced a bill for an Act in relation to the collection of poll taxes in the City and County of San Francisco.

Read first and second times, and ordered to top of file for Friday, March sixth.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,)
March 5th, 1863. }

MR. PRESIDENT :—The House, on the twenty-eighth ultimo, passed Assembly bill No. 74, an Act concerning roads and highways in the County of Shasta ;

Also, February twenty-seventh, passed Assembly bill No. 224, an Act to amend an Act entitled an Act for the relief of persons imprisoned on civil process, approved April twenty-second, eighteen hundred and fifty ;

Also, this day, passed Assembly bill No. 284, an Act to provide for a special election in the County of Sacramento ;

Also, this day, adopted Assembly concurrent resolution No. 32, concerning the State Geologist.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 224, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 74, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Assembly bill No. 284, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly concurrent resolution No. 32, above reported, concurred in.

At one o'clock and fifty minutes, P. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, March 6th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Peck.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 162, an Act concerning redemption of real estate in certain cases, having had the same under consideration, report it back without recommendation;

Also, Senate bill No. 32, an Act dividing the State into Judicial Districts, report the same back, amended, and its passage recommended as amended;

Also, Senate bill No. 153, an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, report the same back, and recommend it be indefinitely postponed.

VAN DYKE, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee have had under consideration Senate bill No. 132, an Act for the relief of A. M. Rosborough;

Also, Senate bill No. 133, an Act for the relief of Franklin A. Rogers, and beg leave to submit the following report in regard to the same :

Senate bill No. 132 appropriated the sum of one hundred and forty-three dollars and twenty cents, out of the State Treasury, to reimburse A. M. Rosborough for money expended as costs in an action wherein The People of the State of California were plaintiffs, and said Rosborough was defendant, which action was decided in favor of said defendant.

The other bill appropriates the sum of one hundred and twelve dollars and thirty-seven cents, out of the State Treasury, to pay Franklin A. Rogers, County Clerk of Siskiyou County, for Clerk's costs in the action; and the only purpose of this reference, as understood by the Committee, is to determine whether the State is liable.

The action referred to was a proceeding in the nature of *quo warranto*, brought by the Attorney-General in the name of The People to determine the title of said Rosborough to the office of County Judge of Siskiyou County. The relator, Westbrook, laid some claim to the office held by the defendant. The proceeding is a civil action, although instituted in the name of The People by the law officer of the State, and the relator, where the action is brought upon the complaint of a private party, is liable for the costs, if the defendant recover judgment. The case in question was brought in the District Court of the Ninth Judicial District for Siskiyou County, and at the March term of eighteen hundred and fifty-nine, was submitted on an agreed statement, and determined in favor of the defendant, from which judgment the relator appealed. The Supreme Court at the October term, eighteen hundred and fifty-nine, affirmed the judgment of the District Court. (14 Cal., p. 189.)

Upon an examination of the transcript of the case, now on file in the office of the Clerk of the Supreme Court, we find that the judgment of the District Court contains the following in regard to the costs of the action :

"It is ordered and adjudged by the Court that the plaintiff or complainant take nothing by his suit, but that the defendant or respondent, A. M. Rosborough, do have and recover of and from the said plaintiff or complainant, R. L. Westbrook, his costs and money disbursements in this behalf expended. The costs—taxed at sixty-eight dollars and ten cents, and that execution issue therefor."

The judgment being affirmed, carried costs of the Appellate Court, as well as the lower Court, in favor of the defendant, and when the remittitur was sent down it was the duty of the County Clerk of Siskiyou County to issue execution against the relator for the defendant's costs, as well as his own, if he wished to recover them. (Mayor of Marysville vs. Buchanan, 3 Cal., p. 212.)

The committee are of the opinion that the State is not liable to reimburse the said parties, as is proposed by the bills under consideration.

They therefore report them back, and recommend that they be indefinitely postponed.

VAN DYKE, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 135, an Act to amend an

Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty;

Also, Senate bill No. 55, an Act making an appropriation for the payment of the expenses growing out of the indictment and trial of Horace Smith;

Also, Senate bill No. 141, an Act to amend section eleven of an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty;

Also, Senate bill No. 150, an Act to authorize the levy of a special property tax in the County of Sonoma for the establishment and maintenance of roads and bridges.

Also, Senate bill No. 127, an Act amendatory of and supplemental to an Act entitled an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties on the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight;

Also, Senate bill No. 172, an Act for the construction of a wagon road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State;

Also, Senate bill No. 154, an Act to amend an Act to limit the time for the presentation of claims against counties, and for receiving payment for the same;

Also, Senate bill No. 93, an Act to provide a Special Fund for the construction of the State Capitol Building at the City of Sacramento.

BURNELL, Chairman.

By unanimous consent, Senate bill No. 127 was amended by striking out the word "quarter," in section one, and inserting the word "month."

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report:

MR. PRESIDENT:—The Committee on Contingent Expenses have examined, and found correct, the following bills:

Geo. I. Lytle, (for sundries and sundry newspapers,).....	\$284 50
Nevada Transcript.....	6 00
Sonoma Democrat.....	7 50
Spirit of the Times.....	18 00
Solano Herald.....	33 75
Santa Cruz Sentinel.....	27 50
Petaluma Argus.....	35 00
Placer Courier.....	54 00
H. J. Bidleman, (for Alta California, Stockton Independent, California Express, Monitor, Mountain Democrat, El Dorado Times, Colusa Sun, News Letter, and North Pacific Review,)	60 50
Sacramento Union.....	105 50
Total.....	\$596 25

The committee recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is hereby required to

draw his warrants in favor of the above parties for the several amounts payable out of the Contingent Fund of the Senate.

POWERS, Chairman.

Adopted.

Mr. Porter of Santa Cruz made the following report :

Mr. PRESIDENT :—Your committee, to whom was referred Senate concurrent resolution No. 5, have had the same under consideration, and report the same back, with the recommendation that it be indefinitely postponed;

Your committee have also had under consideration Assembly concurrent resolution No. 8, and report the same back, and recommend its passage.

PORTER, Chairman.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

Mr. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 14, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty;

Also, Senate bill No. 83, an Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one;

Also, Senate bill No. 84, an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two;

Also, Senate bill No. 137, an Act to repeal section one of an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the records, and ascertain the present existing debt of said county, and to allow a reasonable compensation for the examination already made of the tax rolls of said county, for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty;

Also, Senate concurrent resolution No. 10, relative to the Miranda claim to the Rancho Arroyo de San Antonio.

And the same were, this day, March fifth, eighteen hundred and sixty-three, at one o'clock and twenty-five minutes, P. M., delivered to the Governor, for his approval.

HIGGINS, Chairman.

Mr. Nixon, from the Sacramento delegation, made the following report :

Mr. PRESIDENT :—The Sacramento delegation, to whom was referred Assembly bill No. 135, an Act to authorize Solomon Miser and his associates to construct and maintain a turnpike road at a certain point in Sacramento County, have had the same under consideration, and recommend its passage;

Also, Assembly bill No. 188, an Act to repeal an Act entitled an Act to attach certain territory to the City of Sacramento for school pur-

poses, approved February twenty-third, eighteen hundred and fifty-nine, have had the same under consideration, and recommend its passage;

Also, Assembly bill No. 284, an Act to provide for a special election in the City of Sacramento, have had the same under consideration, and recommend its passage.

NIXON,
BOOTH.

Mr. Parks made the following report :

MR. PRESIDENT:—Your special committee (the Sutter delegation,) to whom was referred Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and sixty-two, have had the same under consideration, and report it back, with amendment, and recommend its passage as amended.

PARKS, for Delegation.

Mr. Holden, from the Mendocino delegation, made the following report :

MR. PRESIDENT:—The delegation, to whom was referred Senate bill No. 193, an Act in relation to the county officers of Mendocino County, have had the same under consideration, and report the same back to the Senate, with amendments, and recommend the passage of the bill as amended.

HOLDEN, for Delegation.

Mr. Doll made the following report :

MR. PRESIDENT:—The select committee, to whom was referred the subject of judicial salaries, beg leave to report the inclosed bill, and recommend its passage.

DOLL, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Doll, from Committee on Judicial Salaries, for an Act to provide for salaries of the Judiciary.

Read first and second times, and ordered on file.

By Mr. Perkins, for an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act of May twentieth, eighteen hundred and sixty-one, amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Porter of Contra Costa, for an Act to authorize the construction of a wharf in the County of Contra Costa.

Read first and second times, and referred to Committee on Commerce and Navigation.

Also, for an Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to re-construct and make a wagon road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Contra Costa and Alameda delegations.

By Mr. Clark, for an Act to provide for paying certain demands issued on the faith and credit of the State which became due and payable on the second day of May, A. D. eighteen hundred and sixty-two, and to contract a Funded Debt for that purpose.

Read first and second times, and referred to Finance Committee.

By Mr. Anderson, for an Act to define the boundaries of Sierra County, to collect certain taxes, to transfer certain records, and to legalize certain civil actions determined and pending in the Counties of Sierra and Plumas.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Doll, for an Act concerning official fees in Tehama County.

Read first and second times, and referred to the Finance Committee.

By Mr. Parks, for an Act appropriating money to pay the claim of the San Francisco Gas Company.

Read first and second times, and referred to Committee on Claims.

By Mr. Higgins, for an Act to authorize the Supervisors of Placer County to audit and allow the claim of George L. Anderson.

Read first and second times, and ordered on file.

Mr. Parks, according to previous notice, moved the following amendment to the forty-fifth rule of the Senate.

“RULE XLV.

“When, by order of the Senate, any Senate bill shall have been considered engrossed and passed, it shall be the duty of the Committee on Engrossed bills, if they deem it necessary, to cause the same to be correctly engrossed, and report to the Senate, the engrossed copy to be reported to the Assembly, and the original retained by the Senate.”

Adopted.

On motion of Mr. Doll, Senate bill No. 139, an Act to provide for the pauper sick of Tehama County—taken from the table, rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Holden, Senate bill No. 52, an Act to amend an Act making certificates of purchase evidence of title, approved April thirteenth, eighteen hundred and fifty-nine—was taken from the table, and ordered to top of file for March twelfth.

GENERAL FILE.

Senate bill No. 11. Amendments to the Constitution.

The President decided that amendments to the bill were not in order, but the vote was now to agree or to disagree to the bill as it stood.

Mr. Powers appealed from the decision of the Chair.

On which, the ayes and noes were demanded, by Messrs. Powers, Holden, and Chamberlain, and taken, with the following result :

AYES—Messrs. Anderson, Birdseye, Booth, Burnell, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Oulton, Pacheco, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—22.

NOES—Messrs. Chamberlain, Doll, Harvey, Holden, Porter of Contra Costa, and Powers—6.

So the Chair was sustained.

Mr. Oulton moved a call of the Senate.

Carried.

The following Senators were absent without leave, viz: Messrs. Baker, Lewis, and Nixon.

On motion of Mr. Powers, further proceedings under the call were dispensed with.

On the final passage of the bill, the roll was called, with the following result:

* **AYES**—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Clark, Crane, Cunningham, Gaskill, Harvey, Higby, Holden, Kutz, McCullough, McNabb, Oulton, Pacheco, Parks, Powers, Saxton, Shurtleff, Van Dyke, Vineyard, and Wallis—26.

NOES—Messrs. Chamberlain, Doll, Harriman, Hathaway, Higgins, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Shannon, and Whiting—10.

So the bill passed.

Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco—ordered to top of file for Saturday, March seventh.

Senate bill No. 158, an Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof—read third time, and passed.

Assembly bill No. 222, an Act to change the name of James Gilmore to Henry James Reese—read third time, and passed.

Senate bill No. 130, an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto—substitute adopted, rules suspended, bill considered engrossed, read third time.

On its passage, the ayes and noes were demanded, by Messrs. Kutz, Whiting, and Powers, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Burnell, Cavis, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Higby, Higgins, Holden, Lewis, McCullough, Pacheco, Parks, Perkins, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—26.

NOES—Messrs. Chamberlain, Kutz, and Powers—3.

So the bill passed.

Senate bill No. 164, an Act to incorporate the Town of San Luis Obispo—amended, ordered engrossed, and read third time.

Assembly bill No. 17, an Act to re-district the County of Santa Clara and provide for the election of Supervisors—indefinitely postponed.

Mr. Wallis made the following report:

MR. PRESIDENT:—The delegations from Santa Clara, Contra Costa, San Joaquin, Santa Cruz, and San Mateo Counties, having had under consideration substitute for Senate bill No. 47, an Act to prevent the use of phosphorus for poisoning vermin or any animals in certain counties of this State, between the first day of March and the fifteenth day of

November in each year, beg leave to report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

At two o'clock, p. m., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Saturday, March 7th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair. •

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmy.

Journal of yesterday read.

The Journal Clerk was instructed to make the following corrections to the Journal of yesterday, in relation to the Constitutional Amendments, as follows:

“Amendments to the Constitution—The President, (Mr. Parks in the Chair,) decided that amendments to the amendments were not in order, but that the vote was to agree or disagree to the amendments as they stood, and substitute the words ‘So the amendments were agreed to,’ for the words ‘So the bill passed.’”

Mr. Oulton moved that the Amendments to the Constitution, as they were agreed to by the Senate, and the ayes and noes thereon, be spread upon the journal.

Adopted.

AMENDMENTS TO THE CONSTITUTION.

The Legislature of the State of California, at its fourteenth session, commencing on the fifth day of January, A. D. eighteen hundred and sixty-three, adopt and agree to the following Amendments to Section Twenty-Six of Article Four of the Constitution, which said Amendments were heretofore proposed and adopted by the Legislature of said State at its thirteenth session:

ARTICLE IV. Section 26. The Legislature shall not pass special or local laws in any of the following enumerated cases, that is to say:

For the punishment of crimes or misdemeanors;

Regulating the practice in Courts of Justice;

Regulating the jurisdiction and duties of Justices of the Peace, or Constables;

Changing or providing for changing the venue in civil or criminal actions;

Granting divorces ;
 Changing the names of persons, companies, or corporations ;
 For laying out, establishing, or opening roads, streets, or alleys ;
 For vacating roads, streets, alleys, or public squares ;
 Providing for selecting, summoning, or empanelling Grand or Trial Juries ;
 Regulating county business ;
 For the assessment or collection of taxes for State or county purposes ;
 For supporting Common Schools ;
 Providing for opening or conducting elections of State or county officers, or designating the places of voting ;
 Granting the right to maintain a ferry ;
 Granting the right to construct or maintain a bridge, except across waters that have been declared to be navigable ;
 Granting the right to use or occupy, for a railroad or other purposes, a street or alley in any city or town ;
 Providing for the sale of the real or personal property belonging to any minor, or other person laboring under a legal disability, or to the estate of a deceased person, by an Executor, Administrator, Guardian, Trustee, or other person.

In all the cases enumerated in this section, and in all other cases where general laws can be applicable, all laws shall be general, and have a uniform operation throughout the State.

Upon the adoption of the above amendments, the roll was called, on yesterday, the sixth of March, eighteen hundred and sixty-three, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Clark, Crane, Cunningham, Gaskill, Harvey, Higby, Holden, Kutz, McCullough, McNabb, Oulton, Pacheco, Parks, Powers, Saxton, Shurtleff, Van Dyke, Vineyard, and Wallis—26.

NOES—Messrs. Chamberlain, Doll, Harriman, Hathaway, Higgins, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Shannon, and Whiting—10.

So the amendments were agreed to.

REPORTS.

Mr. Clark, Chairmrn of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—The Committee on Commerce and Navigation have had Senate bill No. 176, an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arenas, in Mendocino County, under consideration, and beg leave to report back the same, and recommend its passage.

CLARK, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and

report correctly engrossed, Senate bill No. 169, an Act respecting the fees of Court Commissioners;

Also, Senate bill No. 177, an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county;

Also, Senate bill No. 159, an Act to fund the indebtedness of Calaveras county;

Also, Senate bill No. 173, an Act appropriating money to pay certain claims allowed by the Board of Military Auditors;

Also, Senate bill No. 183, an Act to fix the salary of the District Attorney of Shasta County;

Also, Senate bill No. 188, an Act to confer further powers upon the Board of Supervisors of Mendocino County;

Also, Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty.

BURNELL, Chairman.

Mr. Shurtleff, Chairman of the Committee on Mileage, made the following report:

MR. PRESIDENT:—The Committee on Mileage report forty-six dollars and eighty cents due Senators Perkins, Doll, Birdseye, and Gaskill, each, as mileage, for travelling to and from San Francisco while on committee duty. We therefore recommend the adoption of the accompanying resolution.

Resolved, That forty-six dollars and eighty cents, payable out of the Contingent Fund of the Senate, be allowed to Senators Perkins, Doll, Birdseye, and Gaskill, each, as mileage, for travelling to and from San Francisco while in the discharge of committee duties.

SHURTLEFF, Chairman.

Adopted.

Mr. Porter of Contra Costa made the following report:

MR. PRESIDENT:—The Contra Costa and Alameda delegations, to whom was referred Senate bill No. 204, an Act supplementary to an Act to authorize Hiram Thorne and others to re-construct and make a wagon road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two, have considered the same, and ask leave to report a recommendation that it pass.

PORTER of Contra Costa, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Perkins, for an Act to change the venue in certain cases from the Courts of Justice of this State to the Federal Court.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Chamberlain, for an Act regulating the fees of office of Justices of the Peace and Constables in the County of San Joaquin.

Read first and second times, and placed on file.

By Mr. Gaskill, for an Act to repeal certain Acts.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Porter of Santa Cruz, for proposed Amendments to the Constitution of the State of California.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Pacheco, for an Act to provide for the better defence of the State.

Read first and second times, and ordered to top of file for Thursday, March twelfth, and the usual number of copies ordered printed.

Also, for an Act to authorize the Guardian of certain minor children to convey their real estate.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Doll, for an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the Finance Committee.

By Mr. Chamberlain, for an Act to provide for the collection of taxes due this State on consigned goods.

Read first and second times, and referred to the Finance Committee.

RESOLUTIONS.

Mr. Doll offered the following resolution :

Resolved, That J. W. Scott and B. Finerty be and are hereby allowed pay for services as Watchmen of the Senate from the fifth day of January to the eighteenth of January, eighteen hundred and sixty-three, inclusive, at the same per diem as allowed by law to the Porter of the Senate.

Referred to the Committee on Contingent Expenses.

Mr. Shannon offered the following resolution :

WHEREAS, The administration of justice in civil cases wherein the State has no interest, before Courts of Record, costs the Public Treasury a large sum, (several hundred thousand dollars annually,) over and above all receipts from fees ; and,

WHEREAS, That sum is collected by direct taxes from the whole people, who are thus compelled to pay for the law suits of a class which does not include more than one fourth of the population ; and,

WHEREAS, Litigants in Justices' Courts must pay all the expenses of the litigation ; therefore,

Resolved, That the Judiciary Committee be instructed to report to this Senate whether it is not advisable to apply a uniform rule to law suits for large sums and for small sums, so that all the expenses of the litigation shall be paid immediately and directly by the litigants in both classes of suits.

Referred to the Judiciary Committee.

On motion of Mr. Crane, unanimous consent was given to amend Senate bill No. 130, by inserting after the word "of," in the fifth line of section six, the words "the plaintiff to."

Mr. Doll was granted unanimous leave to add section four to Senate bill No. 199.

Mr. Clark offered the following resolution :

Resolved, That a committee of two be appointed, whose duty it shall be, after conferring with the principal committees of both Houses, to present a concurrent resolution fixing upon a day for adjournment *sine die*. Said date to be as early as practicable.

Laid on the table.

GENERAL FILE.

Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 193, an Act concerning the offices of Sheriff, County Clerk, County Treasurer, District Attorney, County Assessor, and Superintendent of Public Instruction, of Mendocino County—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 32, an Act dividing the State into Judicial Districts—ordered to top of file for Wednesday, March eleventh.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

March 7th, 1863. }

MR. PRESIDENT :—The House, on the sixth instant, refused to concur in Senate amendment to the title of Assembly bill No. 92, an Act to provide for special elections for Superintendent of Public Instruction and judicial officers, and ask the Senate to recede from such amendment. The House concurred in all the other Senate amendments to same bill.

I am directed to inform the Senate that a petition from citizens of San Francisco has been presented to the Assembly, against the passage of the Senate bill amendatory of the Act of eighteen hundred and sixty-two, authorizing Eugene L. Sullivan and others to lay down gas pipes in said city. The petition sets forth that any greater charge than five dollars per one thousand cubic feet is an extortion and public grievance. The petition is signed by Sheridan Corby, Manager of Gilbert's Melodeon, Charles Tibbets, of the Metropolitan Theatre, H. P. Platt, of Platt's Musical Hall, W. H. Leighton, proprietor of the Eureka Theatre, and many others.

W. N. SLOCUM,
Assistant Clerk.

The Senate receded from its amendment to the title of Assembly bill No. 92, above reported, an Act to provide for special elections for Superintendent of Public Instruction and judicial officers.

GENERAL FILE RESUMED.

Senate bill No. 153, an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—indefinitely postponed.

Senate bill No. 133, an Act for the relief of Franklin A. Rogers—indefinitely postponed.

Senate bill No. 132, an Act for the relief of A. M. Rosborough—indefinitely postponed.

Senate concurrent resolution No. 5, relative to instructing our Members of Congress to procure the passage of a law relative to the duties of United States Collectors, etc.—indefinitely postponed.

Senate bill No. 47, an Act to prevent the use of phosphorus in poisoning vermin or any animals in certain counties of this State—substitute adopted, amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 141, an Act to amend section eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 135, an Act to authorize Solomon Miser and his associates to construct and maintain a turnpike road at a certain point in Sacramento County—read third time, and passed.

Senate bill No. 203, an Act to authorize the Board of Supervisors of Placer County to audit and allow the claim of George L. Anderson—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 284, an Act to provide for a special election in the County of Sacramento—referred to Sacramento delegation.

Pending the consideration of Assembly bill No. 162, Mr. Harvey gave notice that on Monday he would move a re-consideration of the vote by which Assembly concurrent resolution No. 5 was indefinitely postponed.

At one o'clock and forty-five minutes, p. m., on motion of Mr. Gaskill, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Monday, March 9th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Journal of Saturday last read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 200, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act of May twentieth, eighteen hundred and sixty-one, amendatory thereof, having had the same under consideration, report it back, and recommend its passage ;

Also, Assembly bill No. 224, an Act to amend an Act entitled an Act for the relief of persons imprisoned on civil process, approved April twenty-second, eighteen hundred and fifty, report it back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Harvey made the following report :

MR. PRESIDENT:—The El Dorado delegation, to whom was referred Assembly bill No. 9, an Act to authorize the Board of Supervisors of El Dorado County to subscribe two hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto, have had the same under consideration, report it back, with amendments, and recommend its passage as amended.

HARVEY, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 7th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 77, an Act to separate the office of Collector of Taxes from the office of Sheriff in the County of Trinity ;

Also, Senate bill No. 65, an Act to repeat an Act entitled an Act concerning certain salaries and fees of office in the County of Monterey, approved April nineteenth, A. D. eighteen hundred and sixty-two, and to revive an Act entitled an Act to regulate fees in office in certain counties of this State, approved April twenty-eighth, eighteen hundred and fifty-seven ;

Also, Senate bill No. 60, an Act to grant to Larkin Lamb and his associates the right to construct and maintain a toll bridge across the Cosumnes river, in the Counties of Amador and El Dorado ;

Also, Senate bill No. 57, an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, in the year eighteen hundred and sixty-three ;

Also, Senate bill No. 36, an Act to amend an Act entitled an Act creating the office of Township Collector and Assessor in the Counties of El Dorado and Amador, approved April twenty-fifth, A. D. eighteen hundred and sixty-two.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER, }
March 7th, 1863. }

MR. PRESIDENT:—The Assembly, on yesterday, passed Senate bill No. 2, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

H. G. WORTHINGTON,
Clerk of Assembly.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Doll, for an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act respecting the compensation of Inspector of Stamps residing at the City of San Francisco.

Read first and second times, and referred to the Finance Committee.

Also, for an Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Van Dyke, for an Act amendatory of and supplementary to the Act to regulate the proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Oulton, for an Act to appropriate money for the Geological Survey of the State.

Read first and second times, and placed on file.

By Mr. Holden, for an Act granting parties therein named the right to construct a wagon road from Cloverdale, in Sonoma County, to McDonald's House, in Mendocino County, and collect tolls for travelling thereon.

Read first and second times, and referred to the Sonoma and Mendocino delegation ;

Also, for an Act to authorize P. S. Palmstrum to establish, keep up, and maintain a public ferry across Big River, in Mendocino County, near the Big River Mills.

Read first and second times, and placed on file.

By Mr. Burnell, for an Act concerning Grand and Trial Jurors, and to repeal an Act entitled an Act concerning Jurors, passed May third, eighteen hundred and fifty-two, and Acts amendatory of or supplementary thereto.

Read first and second times, and referred to the Judiciary Committee, and the usual number of copies ordered printed.

By Mr. Nixon, for an Act to authorize the Board of Levee Commissioners of the City of Sacramento to improve the navigation of the river in front of the city, and for other purposes.

Read first and second times, and referred to the Sacramento delegation.

RESOLUTIONS.

Mr. Perkins offered a concurrent resolution concerning the introduction of new business.

Ordered to top of file for Tuesday, March tenth.

Also, concurrent resolution fixing the date of adjournment *sine die*.

Ordered to top of file for Tuesday, March tenth.

On motion of Mr. Parks, Senate bills Nos. 13, 22, and 152, with their

substitute, No. 170, were taken from the table, and placed at top of file for to-day.

One day leave of absence was granted to Messrs. Whiting, Clark, Pacheco, Hathaway, and McCullough.

Mr. Van Dyke gave the following notice :

Mr. PRESIDENT:—I give notice that at an early day I will introduce a bill for an Act providing for the time of holding the several Courts of Record in the various districts and counties of this State.

VAN DYKE.

Mr. Wallis offered the following resolution :

Resolved, That the Committee on Enrolment be and they are hereby authorized to employ an Assistant Clerk whenever they deem it necessary, at a sum not exceeding five dollars per day.

Adopted.

On motion of Mr. Doll, the Attorney-General's report was referred to the Finance Committee for investigation, with instructions to report to the Senate.

GENERAL FILE.

Senate bill No. 170, an Act to amend an Act entitled an Act concerning officers, passed April twenty-eighth, eighteen hundred and fifty-one, and other Acts amendatory thereof.

On the adoption of the bill, (which was reported as a substitute for Senate bills Nos. 13, 22, and 152,) the ayes and noes were demanded, by Messrs. Oulton, Parks, and Powers, and taken, with the following result :

AYES—Messrs. Anderson, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Higby, Lewis, Porter of Santa Cruz, Saxton, Shannon, and Van Dyke—12.

NOES—Messrs. Bogart, Burnell, Doll, Harriman, Harvey, Holden, Nixon, Oulton, Parks, Perkins, Powers, Shurtleff, and Vineyard—13.

So the substitute was lost.

Senate bill No. 22, an Act concerning offices—amended, and ordered to top of file for March tenth.

Senate bill No. 152, an Act to define the terms of office in this State, and to fix the time of commencement thereof—amended.

Mr. Powers gave notice that on to-morrow he would move to reconsider the vote by which the substitute (Senate bill No. 170) was lost.

The President (Mr. Burnell in the Chair) decided the notice to reconsider out of order.

Mr. Powers appealed from the decision of the Chair.

On the question of appeal, the ayes and noes were demanded, by Messrs. Doll, Oulton, and Wallis, and taken, with the following result :

AYES—Messrs. Birdseye, Bogart, Booth, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Higgins, Holden, Lewis, Nixon, Oulton, Parks, Perkins, and Shurtleff—17.

NOES—Messrs. Anderson, Chamberlain, Higby, McNabb, Powers, Saxton, Shannon, Van Dyke, and Wallis—9.

So the decision of the Chair was sustained.

Mr. Powers now moved that the vote by which the substitute (Senate bill No. 170) was lost be now reconsidered.

On the reconsideration, the ayes and noes were demanded, by Messrs Gaskill, Perkins, and Wallis, and taken, with the following result :

AYES—Messrs. Anderson, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Higby, Lewis, McNabb, Nixon, Porter of Santa Cruz, Saxton, Shannon, Van Dyke, and Wallis—15.

NOES—Messrs. Birdseye, Bogart, Booth, Burnell, Doll, Harriman, Harvey, Higgins, Holden, Oulton, Parks, Perkins, Powers, Shurtleff, and Vineyard—15.

So the motion to reconsider was lost.

The consideration of Senate bill No. 152 was resumed—further amended, and ordered to top of file for March tenth.

Senate bill No. 13, an Act amendatory of and supplementary to an Act entitled an Act concerning offices, passed April twenty-eighth, eighteen hundred and fifty-one—ordered to top of the file for March tenth.

Assembly bill No. 188, an Act to repeal an Act entitled an Act to attach certain territory to the City of Sacramento for school purposes, approved February twenty-third, eighteen hundred and fifty-nine—read third time, and passed.

Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and fifty-three—amended, read third time, and passed.

Assembly concurrent resolution No. 8, relative to the establishment of a mail route in Tulare County, etc.—ordered to top of the file for March tenth.

Senate bill No. 169, an Act respecting the fees of Court Commissioners—read third time, and passed.

Senate bill No. 199, an Act to provide for salaries of the Judiciary—ordered to top of file for March tenth.

At three o'clock, P. M., on motion of Mr. Lewis, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Tuesday, March 10th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohn.

Journal of yesterday read and approved.

Indefinite leave of absence was granted to Mr. Clark.

The following communication was received through the President :

HEAD-QUARTERS, SACRAMENTO, }
March 9th, 1863. }

Lieutenant-Governor J. F. Chellis, President of Senate, Sacramento City :

SIR :—The troops at "Camp Union" will be reviewed and inspected by His Excellency, Governor Stanford, on the twelfth instant, at twelve o'clock, M. I shall be happy if yourself and the honorable Senators will favor us with their presence to witness the parade.

With great respect, I have the honor to be,

Your obedient servant,

G. WRIGHT,
Brigadier General U. S. Army.

On motion of Mr. Powers, the invitation was accepted.

REPORTS.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. PRESIDENT :—The Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 197, an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to the State of California by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one, have had the same under consideration, and report the same back, with amendments, and recommend its passage as amended ;

Also, have had under consideration Senate bill No. 182, an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, Marsh, and Tide Lands, donated to the State of California by Act of Congress, passed May thirteenth, eighteen hundred and sixty-one, and report the same back, and recommend that it be indefinitely postponed.

HARVEY, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Senate bill No. 195, an Act to secure the payment of indebtedness of the County of Alameda to the County of Contra Costa, and report the same back, with the recommendation that it do not pass ;

Also, Assembly bill No. 132, an Act to direct the Controller of State in relation to drawing his warrants on the State Treasury, and recommend that it be indefinitely postponed ;

Also, Assembly bill No. 216, an Act for the relief of D. W. Standeford, Deputy Tax Collector of Foreign Miners' Licenses in El Dorado County, and report the same back, without recommendation ;

Also, Assembly bill No. 93, an Act for the payment of William A. Cornwall, and recommend that it do not pass ;

Also, the petition of Dr. S. M. Mouser, for payment for professional

services rendered at the request of the Resident Physician of the State Prison, amounting to five hundred dollars, and report the same back, with the accompanying bill making an appropriation of one hundred and fifty dollars, and recommend the passage of the bill.

OULTON, Chairman.

Mr. Parks made a verbal report, reporting back from the Committee on Public Morals certain petitions for a Sunday Law, with recommendation that they be referred to the Judiciary Committee.

So referred.

Mr. Birdseye made a verbal report, recommending the indefinite postponement of Senate bill No. 7, an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 213, an Act to authorize the Guardian of certain minor children to convey their real estate, having had the same under consideration, report it back, without recommendation;

Also, have had under consideration Senate bill No. 211, an Act to repeal certain Acts, and report the same back, and recommend its indefinite postponement.

VAN DYKE, Chairman.

Mr. Porter of Santa Cruz made the following report:

MR. PRESIDENT:—Your committee, to whom was referred Assembly concurrent resolution No. 26, have had the same under consideration, and report the same back, with amendments, and recommend its passage as amended.

PORTER of Santa Cruz, Chairman.

Mr. Gaskill, Chairman of the Committee on Elections, made the following report:

MR. PRESIDENT:—The Committee on Elections, to whom was referred Senate bill No. 113, report the same back, with amendments, and recommend the passage of the bill as amended.

GASKILL, Chairman.

Mr. Holden made the following report:

MR. PRESIDENT:—The delegations from Mendocino and Sonoma, to whom was referred Senate bill No. 221, authorizing parties therein named to construct a wagon road in Sonoma and Mendocino Counties, have had the same under consideration, and report the same to the Senate, with the following amendment to section four, line seven: after the word "twelve" insert the words "nor more than twenty-four," and recommend the passage of the bill as amended.

HOLDEN, for Mendocino Delegation.

McNABB, for Sonoma Delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER.

March 10th, 1893.

Mr. President:—The Assembly, on March second, eighteen hundred and sixty-three, passed Assembly bill No. 53, an Act to authorize A. W. Von Schmidt and his associates to lay down gas pipes in the City and County of San Francisco;

Also, on the seventh instant, passed Assembly concurrent resolution No. 34, concerning the establishment of an Agricultural College;

Also, on yesterday, passed Senate bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all other Acts amendatory thereof;

Also, concurred in Senate amendment to Assembly concurrent resolution No. 24, concerning supplies for Indian reservations;

Also, this day, adopted Assembly concurrent resolution No. 33, concerning the Federal tax on native wines;

Also, on yesterday, passed Assembly bill No. 22, an Act granting to F. K. Bachtel and others the right to erect gas works and lay gas pipes for the purpose of supplying the Town of Aurora with illuminating gas;

Also, on yesterday, passed Assembly bill No. 94, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto;

Also, this day, passed Assembly bill No. 104, an Act amendatory of and supplemental to an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto;

Also, on yesterday, passed Assembly bill No. 100, an Act to confer certain powers upon the Board of Education of the City of Stockton, and for the transfer of certain moneys from the School Fund of San Joaquin County to the School Fund of the City of Stockton;

Also, on the fourth instant, passed Assembly bill No. 109, an Act to amend an Act entitled an Act to establish Pilots and Pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one;

Also, on yesterday, passed Assembly bill No. 171, an Act to grant the right to J. Waldron Cabber and others to lay water pipes for the purpose of supplying the Town of Aurora with pure water;

Also, on yesterday, passed Assembly bill No. 177, an Act to grant the right to construct a turnpike road from the Town of Fiddletown to Pokerville, in the County of Amador;

Also, March ninth, passed Assembly bill No. 202, an Act to authorize and empower John S. Rutherford and George E. Webber to construct and maintain booms on the Gualala River, in Mendocino County;

Also, March ninth, passed Assembly bill No. 204, an Act to change the name of Anderson Walker to Anderson Monroe Walker;

Also, March tenth, passed Assembly bill No. 211, an Act to authorize parties therein named to construct and maintain a bridge across the Middle Fork of Cache Slough;

Also, March ninth, passed Assembly bill No. 246, an Act to require the County Judge of Colusa County to reside at the county seat;

Also, March ninth, passed Assembly bill No. 237, an Act to authorize the construction of a wagon road up City Creek Cañon into Little Bear Valley, in San Bernardino County;

Also, March tenth, passed Senate bill No. 3, an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER.

March 9th, 1863. }

Mr. PRESIDENT:—The House, this day, passed Assembly bill No. 282, an Act to transfer certain funds.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 56, above reported, an Act to authorize A. W. Von Schmidt and his associates to lay down gas pipes in the City and County of San Francisco, read first and second times, and placed on file.

Assembly concurrent resolution No. 34, above reported, concerning the establishment of an Agricultural College, read first and second times, and referred to the Committee on Education, with instructions to report on Saturday, March fourteenth.

Assembly concurrent resolution No. 33, above reported, read first and second times, and referred to the Committee on Agriculture.

Assembly bill No. 22, above reported, read first and second times, and referred to the Mono delegation.

Assembly bill No. 91, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 104, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 160, above reported, read first and second times, and referred to the San Joaquin delegation.

Assembly bill No. 169, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 171, above reported, read first and second times, and referred to the Mono delegation.

Assembly bill No. 177, above reported, read first and second times, and placed on file.

Assembly bill No. 202, above reported, read first and second times, and referred to Mendocino delegation.

Assembly bill No. 204, above reported, read first and second times, and placed on file.

Assembly bill No. 211, above reported, read first and second times, and referred to the Yolo delegation.

Assembly bill No. 246, above reported, read first and second times, and referred to the Colusa delegation.

Assembly bill No. 237, above reported, read first and second times, and referred to the San Bernardino delegation.

Assembly bill No. 282, above reported, read first and second times, amended, read third time, and passed.

REPORTS.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

MR. PRESIDENT :—The Finance Committee, to whom was referred Senate bill No. 215, an Act to provide for the collection of taxes in this State on consigned goods, have had the same under consideration, report the bill back, with amendment, and recommend the passage of the bill as amended ;

Also, have had under consideration Senate bill No. 165, an Act defining the duties of the County Treasurers of this State in relation to payment for lands purchased of this State, report the same back and recommend the indefinite postponement of the bill ;

Also, have had under consideration Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, report the same back, with amendment, and recommend the passage of the bill as amended ;

Also, have had under consideration Senate bill No. 205, an Act concerning officers' fees in Tehama County, report the same back, and recommend its passage ;

Also, have had under consideration Assembly bill No. 88, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, report the same back, with amendment, and the passage of the bill recommended ;

Also, have had under consideration Assembly bill No. 63, an Act to exempt certain property belonging to the Esmeralda Rifle Company from taxation, report the same back, and recommend the passage of the bill.

PERKINS, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :.

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco ;

Also, Senate bill No. 139, an Act to provide for the pauper sick of Tehama County ;

Also, Senate bill No. 47, an Act to prevent the use of phosphorus for poisoning vermin or any animals in certain counties of this State between the first of March and the first of November in each year ;

Also, Senate bill No. 163, an Act to change the name of Victor Desere to William Henry Roberts ;

Also, Senate bill No. 161, an Act to amend an Act entitled an Act fixing the salaries of State officers, passed May sixth, eighteen hundred and sixty-one.

BURNELL, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act supplementary to an Act concerning

crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By the Committee on Claims, for an Act for the relief of Dr. S. M. Mouser.

Read first and second times, and placed on file.

By Mr. Holden, for an Act to provide revenue for the support of the government of this State.

Read first and second times, and referred to the Finance Committee.

By Mr. Wallis, for an Act to provide for the better protection of private property in certain counties of this State.

Read first and second times, and placed on file.

By Mr. McNabb, for an Act to extend the provisions of an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six, and the amendments thereto, approved April eighteenth, eighteen hundred and fifty-nine.

Read first and second times, and placed on file.

Also, for an Act to provide for the better maintenance of the indigent sick of Sonoma County.

Read first and second times, and placed on file.

By Mr. Porter of Santa Cruz, for an Act to authorize the issuance of a duplicate School Land Warrant to Henry W. Peck.

Read first and second times, and referred to Committee on Public Lands.

On motion of Mr. Abell, Senate bill No. 42, an Act concerning the School Fund of the State of California—was taken up, and considered, and substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 195, an Act to secure the payment of the indebtedness of the County of Contra Costa.

Referred to the Judiciary Committee.

Mr. Hathaway presented a petition from about fifteen hundred merchants and others of San Francisco, remonstrating against the passage of the gas bills now before the Senate.

Referred to the San Francisco delegation.

Mr. Wallis offered the following resolution :

Resolved, That the sum of fifty-two dollars be and the same is allowed Philip Groves, for services as Watchman of the Senate Chamber, from the fifth day of January to the eighteenth of January, eighteen hundred and sixty-three, the same to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Senate concurrent resolution No. 19, relative to adjournment *sine die*—amended, and adopted.

Senate concurrent resolution No. 19, relative to introduction of new business—*indefinitely postponed*.

Senate bill No. 134, an Act to authorize the Board of Supervisors of Stanislaus County to appropriate the sum of two thousand one hundred and eighteen dollars, to pay the claim of George E. Drew for surveying

the boundary line of a portion of San Joaquin County annexed to Stanislaus County.

Mr. McCallough moved that the bill and substitute be referred to the Committee on County Boundaries.

Upon which the yeas and nays were demanded by Messrs. Shannon, O'Brien, and Jarvis, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Booth, Doll, Gaskill, Harvey, Hathaway, Higley, Hutton, Lewis, McCallough, McNabb, Nixon, Porter of Contra Costa, Shannon, Wallis, and Whiting—17.

NAYS—Messrs. Blaisdell, Bogart, Doll, Chamberlain, Crane, Cunningham, Hartman, O'Brien, Perkins, Parks, Perkins, Porter of Santa Cruz, Powers, Saxton, Shurtleff, and Van Dyke—16.

Senate bill No. 22, an Act concerning offices.

Mr. Shannon offered an amendment, the same as was offered yesterday as a substitute for three bills, and voted down.

Mr. Doll moved a point of order that the amendment was not in order.

The Chair, Mr. Terrill, denied the point of order not well taken.

Mr. Doll appealed from the decision.

On the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the yeas and nays were demanded by Messrs. Doll, Shannon, and Wallis, and the Chair was sustained by the following vote:

AYES—Messrs. Abell, Anderson, Booth, Caris, Crane, Cunningham, Gaskill, Hartman, Harvey, Hathaway, Higley, Higgins, McNabb, Nixon, Perkins, Porter, Saxton, Shurtleff, Shurtz, Van Dyke, and Wallis—21.

NAYS—Messrs. Blaisdell, Bogart, Doll, O'Brien, Perkins, and Porter of Santa Cruz—5.

Mr. Shannon, by leave, withdrew his amendment, and offered a substitute.

Mr. Perkins moved a point of order, that the substitute now offered had once been rejected as a substitute, and therefore could not be again offered.

The Chair decided the point of order well taken.

Mr. Porter of Santa Cruz appealed from the decision of the Chair.

On which the yeas and nays were demanded by Messrs. Bogart, Shannon, and O'Brien, and taken, with the following result:

AYES—Messrs. Blaisdell, Bogart, Booth, Brandt, Chamberlain, Cunningham, Doll, Hathaway, Nixon, O'Brien, Parks, Perkins, Porter of Contra Costa, Powers, Shurtleff, and Van Dyke—16.

NAYS—Messrs. Anderson, Crane, Gaskill, Higley, Higgins, Porter of Santa Cruz, Shannon, and Wallis—8.

Bill considered in Committee of the Whole, amended, amendments concurred in in Senate, and bill ordered to top of the file for March eleventh.

At four o'clock and fifty minutes, p. m., on motion of Mr. McNabb, the Senate adjourned.

J. F. CHELLIS.

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
 Wednesday, March 11th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

PETITIONS.

Mr. Harvey presented a petition of citizens of Lake Valley, asking the passage of an Act more particularly defining the boundary line of El Dorado County.

Referred to Placer and El Dorado delegations.

Mr. Cunningham presented a petition of the Marysville Rifles, asking for a change in the militia law.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 219, an Act amendatory of and supplementary to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same, having had the same under consideration, report it back amended, and recommend its passage as amended;

Also, have considered Senate bill No. 166, an Act to amend an Act entitled an Act concerning crimes and punishments, which took effect May sixth, eighteen hundred and fifty, report the same back amended, and recommend its passage as amended;

Also, have had under consideration Senate bill No. 160, an Act concerning crimes and punishments, report the same back amended, and recommend its passage as amended;

Also, have considered Senate bill No. 208, an Act to change the venue in certain cases from the Courts of Justice of this State to the Federal Courts, report the same back, and recommend that it do not pass.

VAN DYKE, Chairman.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 74, an Act concerning roads and highways in the County of Shasta, having had the same under consideration, beg leave to report it back, and recommend its passage;

Also, have had under consideration Senate bill No. 216, an Act to

amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one, and ask leave to report the same back, without recommendation.

CAVIS, Chairman.

Mr. Hathaway, Chairman of the Committee on Hospitals, made a report concerning the Insane Asylum. [For report, see Appendix.]

The usual number of copies of the report were ordered printed.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. PRESIDENT :—The Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 185, an Act to provide for the punishment of persons cutting timber upon or carrying the same when cut down from any of the Swamp and Overflowed, Tide, or Marsh, or School Lands of this State, have had the same under consideration, and report the same back, and recommend its passage without amendment.

HARVEY, Chairman.

Mr. Bogart made the following report :

MR. PRESIDENT :—The delegation from San Bernardino have had Assembly bill No. 237 under consideration, and report the same back, and recommend its passage.

BOGART, for Delegation.

Mr. Doll made the following report :

MR. PRESIDENT :—The delegation from Colusa, to whom was referred Assembly bill No. 246, have had the same under consideration, and report the same back, with a recommendation that it pass.

DOLL, for Delegation.

Mr. Chamberlain made a verbal report, recommending the passage of Assembly bill No. 160, an Act to confer certain powers upon the Board of Education of the City of Stockton, and for the transfer of certain moneys from the School Fund of San Joaquin County to the School Fund of the City of Stockton.

Mr. Parks made the following report :

MR. PRESIDENT :—The Yuba delegation, to whom was referred Assembly bill No. 71, an Act to authorize S. Spencer, F. B. Simpson, and their associates, to construct a toll bridge across the Yuba River, at or near Sand Flat, in Yuba County, have had the same under consideration, and beg leave to report the same back, with amendments, and recommend its passage as amended.

PARKS, for Delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
March 10th, 1863. }

MR. PRESIDENT :—The Assembly, this day, passed Senate concurrent resolution No. 17, relative to the currency of the State ;

Also, this day, passed Senate bill No. 87, an Act to repeal section two of an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
March 11th, 1863. }

Mr. PRESIDENT :—The House, yesterday, passed Assembly bill No. 242, an Act in addition to an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplementary thereto ;

Also, on same day, passed Assembly bill No. 249, an Act to amend an Act entitled an Act relating to the thirteenth Judicial District, and to determine the time of holding the Courts in said District, approved May second, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 249, above reported, read first and second times, and referred to the Stanislaus, Merced, and Mariposa delegations.

Assembly bill No. 242, above reported, read first and second times, and referred to the Committee on Elections.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Doll, for an Act fixing the pay for mileage of State, county, township, city, and city and county officers, in certain cases.

Read first and second times, and referred to the Committee on Finance.

By the Committee on Education, for an Act to provide for the maintenance and supervision of Public Schools, and to repeal former Acts concerning the same.

Read first and second times, the usual number of copies ordered printed, and placed on file.

By Mr. Wallis, for an Act to amend an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, and an Act amendatory thereof, passed April twenty-sixth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Porter of Contra Costa, for an Act to provide for the formation of Trial Juries for the District Court in and for the County of Contra Costa.

Read first and second times, and referred to the Judiciary Committee.

Mr. Shurtleff offered the following resolution :

Resolved, That E. W. Corbett, Clerk of the Finance Committee of the Senate, be allowed twenty-five dollars, payable out of the Contingent Fund of the Senate, for expenses incurred in accompanying said commit-

tee to San Francisco while making investigations under the direction of this body.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Senate bill No. 22, an Act concerning offices—amended, ordered engrossed, and read third time.

Senate bill No. 32, an Act dividing the State into judicial districts—amended, and ordered to top of file for Thursday, March twelfth.

Senate bill No. 152, an Act to define the terms of office in this State, and fix the commencement thereof—indefinitely postponed.

Senate bill No. 13, an Act amendatory of and supplementary to an Act entitled an Act concerning offices, passed April twenty-eighth, eighteen hundred and fifty-one—indefinitely postponed.

Assembly concurrent resolution No. 8, relative to the establishment of a mail route in Tulare County, etc.—read third time, and adopted.

Assembly bill No. 199, an Act to provide for salaries of the Judiciary—amended, and ordered to top of file for Thursday, March twelfth.

At four o'clock and ten minutes, P. M., on motion of Mr. Hathaway, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE

SENATE CHAMBER,
Thursday, March 12th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohn.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.
March 12th, 1863. }

MR. PRESIDENT :—The Assembly, this day, passed Assembly bill No. 318, an Act to incorporate the State Agricultural Society, and appropriate money for its support, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-three.

W. N. SLOCUM,
Assistant Clerk.

Assembly bill No. 318, above reported, was taken up, read first and second times, rules suspended, read third time, and passed.

Journal of yesterday read and approved.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Crane, for an Act to transfer certain funds, and to provide for the appropriation thereof.

Read first and second times, and referred to Finance Committee.

By Mr. Perkins, for an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight.

Read first and second times, and referred to the Judiciary Committee.

Mr. Shurtleff presented a remonstrance of Board of Supervisors of Shasta County, against passage of a bill in regard to County Hospital of said county.

Referred to Committee on Hospitals.

At eleven o'clock and fifteen minutes, A. M., on motion of Mr. Pacheco, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, March 13th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

PETITIONS.

Mr. Crane presented a petition of citizens of Alameda County, asking for the Oakland and San Antonio Steam Navigation Company the right to construct a wharf and ferry landing in San Francisco.

Referred to Committee on Commerce and Navigation.

Mr. Cavis presented a petition of officers and privates of First Battalion, Third Brigade, California Militia, asking amendment to the Militia Law.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

Mr. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 164, an Act to incorporate the town of San Luis Obispo;

Also, Senate bill No. 189, an Act to provide for the retention of hides of cattle killed or slaughtered in certain counties in this State;

Also, Senate bill No. 144, an Act to amend an Act entitled an Act to grant H. J. May, Charles M. Baxter, Wm. Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the city of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two;

Also, Senate bill No. 203, an Act to authorize the Supervisors of Placer County to audit and allow the claim of George L. Anderson.

BURNELL, Chairman.

Mr. Hathaway made the following report :

Mr. PRESIDENT:—Your Committee to whom was referred Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor, have had the same under consideration, and ask leave to report the same back, with amendments, and recommend its passage as amended.

HATHAWAY, for Committee.

Senate bill No. 146, above reported, ordered to top of file for Tuesday, March seventeenth, eighteen hundred and sixty-three.

Mr. Powers made a verbal report, recommending the passage of Assembly bill No. 211, an Act to authorize parties therein named to construct and maintain a bridge across the middle fork of Cache slough.

Assembly bill No. 211, above reported, was read third time, and passed.

Mr. Chamberlain made a verbal report, recommending the passage of Assembly bill No. 43, an Act to authorize the Board of Supervisors of San Joaquin County to take and subscribe fifty thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same.

Assembly bill No. 43, above reported, was read third time, and passed.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

Mr. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 231, an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, having had the same under consideration, report it back, and recommend its passage;

Also, have considered Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, report the same back, amended, and recommend its passage as amended.

VAN DYKE, Chairman.

Mr. Abell made the following report :

Mr. PRESIDENT:—The San Francisco delegation, to whom was referred Senate bill No. 6, an Act to amend an Act entitled an Act to provide for the appointment of a Measurer of Wood in and for the City of San Fran-

cisco, have had the same under consideration, and have directed me to report it back, with a substitute, the passage of which they recommend.
ABELL, for Delegation.

Mr. Booth made the following report :

MR. PRESIDENT :—The Sacramento delegation, to whom was referred Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes, report the same back, with a substitute, the passage of which they recommend.

NIXON,
BOOTH.

Mr. Cavis made the following report :

MR. PRESIDENT :—The undersigned, to whom was referred Assembly bill No. 22, an Act granting to F. K. Beehtel and others the right to erect gas works and lay gas pipes for the purpose of supplying the town of Aurora with illuminating gas, asks leave to report the same back, with an amendment, and recommend its passage as amended ;

Also, asks leave to report back, with amendments, and recommend its passage as amended, Assembly bill No. 171, an Act to grant the right to J. Waldron Calder and others to lay water-pipes for the purpose of supplying the town of Aurora with pure water.

CAVIS, for Delegation.

Mr. Harriman made the following report :

MR. PRESIDENT :—The Placer delegation, to whom was referred Assembly bill No. 186, an Act concerning Roads and Highways in the County of Placer, report the same back, with an amendment, and recommend its passage as amended.

HARRIMAN, for Delegation.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 8, an Act for the relief of Manasseh Sleeper, the Collector of Siskiyou County ;

Also, Senate substitute for Assembly bill No. 30, an Act to amend an Act entitled an Act concerning hogs found running at large in the Counties of Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara ;

Also, Senate bill No. 61, an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty four, and amended March twentieth, eighteen hundred and fifty-eight ;

Also, Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty ;

Also, Senate bill No. 103, an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor and Treasurer of the City and County of San Francisco, also, amendatory of an Act passed April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors, and Auditor and County Treasurer of the City and County of San Francisco,

and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty;

Also, Senate bill No. 104, an Act to amend an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven;

Also, Senate bill No. 110, an Act to authorize the Board of Supervisors of Trinity County to levy a special tax for County Baiting Fund;

Also, Senate bill No. 115, an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city;

And that said bills have, this day, March eleventh, A. D. eighteen hundred and sixty-three, at three o'clock and forty-five minutes P. M., been presented to the Governor for his approval.

HIGGINS, Chairman.

Mr. Van Dyke made the following report:

MR. PRESIDENT:—Your Committee of Free Conference, who were appointed with a like committee on the part of the Assembly, to consider Assembly joint resolution No. 1, declaratory of the adoption of the Amendments to the Constitution proposed by the Legislature at its twelfth session, have acted in accordance with your instructions, and respectfully report that we have agreed to certain amendments to the aforesaid resolution, and recommend the adoption of the resolution as thus amended.

VAN DYKE,

PARKS.

McCULLOUGH.

Senate Committee.

HARTSON.

SANDERSON.

WRIGHT of Del Norte.

Assembly Committee.

GENERAL FILE.

Senate bill No. 269, an Act to provide for the better defence of this State—made special order for Tuesday, March seventeenth, at two o'clock, P. M.

Senate bill No. 52, an Act to amend an Act making certificates of purchase or of location evidence of title, approved April thirtieth, eighteen hundred and fifty-nine—on motion of Mr. Doll, the bill was re-committed to the Committee on Public Lands, with special instructions.

Senate bill No. 32, an Act dividing the State into Judicial Districts.

Mr. Birdseye moved to strike out Sierra, in the sixty-fifth line.

Upon which, the ayes and noes were demanded, by Messrs. Kutz, Birdseye, and Shannon, and taken, with the following result:

AYES—Messrs. Birdseye, Chamberlain, Crane, Harriman, Hathaway, Higgins, Holden, Kutz, Oulton, Pacheco, Powers, and Whiting—12.

NOES—Messrs. Bogart, Burnell, Cunningham, Doll, Gaskill, Harvey, Higby, Lewis, McCullough, McNabb, Parks, Shannon, and Shurtleff—13.

So the motion to strike out Sierra was lost, and the bill was ordered engrossed, and read third time.

Senate bill No. 199, an Act to provide for salaries of the Judiciary.

Mr. Parks moved to amend so as to allow the Judges of the Fourth and Twelfth Judicial Districts a salary of six thousand, instead of five thousand dollars per annum.

Upon which, the ayes and noes were demanded, by Messrs. Oulton, Shannon, and McNabb, and taken, with the following result :

AYES—Messrs. Abell, Burnell, Cunningham, Hathaway, Higgins, Lewis, McCullough, Pacheco, Parks, Perkins, Porter of Contra Costa, Powers, Saxton, Shannon, Wallis, and Whiting—16.

NOES—Messrs. Bogart, Booth, Chamberlain, Doll, Harriman, Harvey, Holden, Kutz, McNabb, Oulton, Shurtleff, Van Dyke, and Vineyard—13.

Bill ordered engrossed, and read third time.

Mr. Higby, from the Calaveras and Amador delegations, made the following report :

MR. PRESIDENT:—The Calaveras and Amador delegations have had under consideration Senate bill No. 122, and report the same back, and recommend its passage.

HIGBY, for Delegations.

Senate bill No. 122, an Act providing for the time of holding Court in the Sixteenth Judicial District—rules suspended, considered engrossed, read third time, and passed.

Mr. Perkins gave the following notice :

MR. PRESIDENT:—I hereby give notice, that on Wednesday next, I will move to amend the Twenty-Seventh Rule of the Senate, by striking out the word "eleven," and inserting the word "ten."

PERKINS.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows :

By Mr. Lewis, for an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe twenty-five thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same.

Read first and second times, and referred to the Calaveras delegation.

By Mr. Porter of Contra Costa, for an Act to provide for the sale of all the lands belonging to the State.

Read first and second times, the usual number of copies ordered printed, and referred to the Committee on Public Lands.

By Mr. Crane, for an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

COMMUNICATION FROM THE CONTROLLER.

The following communication was received from the Controller :

OFFICE OF CONTROLLER OF STATE,
Sacramento, March 13th, 1863. }

To the Honorable the Senate of California :

A deficiency exists in the appropriation for contingent expenses of the Senate, thirteenth session, for which an appropriation of three thousand dollars is necessary.

A deficiency also exists in the appropriation for contingent expenses of Assembly, thirteenth session, for which an appropriation of two thousand dollars is necessary.

Very respectfully,

G. R. WARREN, Controller.

Referred to the Committee on Finance.

GENERAL FILE RESUMED.

Senate bill No. 176, an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arena, in Mendocino County—considered engrossed, read third time, and passed.

Senate bill No. 204, an Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to re-construct and make a wagon road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two—considered engrossed, read third time, and passed.

Senate bill No. 210, an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin—considered engrossed, read third time, and passed.

Senate bill No. 222, an Act to authorize P. S. Palmstream to establish, keep up, and maintain a public ferry across Big River, in Mendocino County, near the Big River Mills—considered engrossed, read third time, and passed.

Assembly bill No. 9, an Act to authorize the Board of Supervisors of El Dorado County to subscribe two hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto—amended, read third time, and passed.

Assembly bill No. 224, an Act to amend an Act entitled an Act for the relief of persons imprisoned on civil process, approved April twenty-second, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 200, an Act to amend an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act of May twentieth, eighteen hundred and sixty-one, amendatory thereof—amended, considered engrossed, read third time, and passed.

Senate bill No. 220, an Act to appropriate money for the Geological Survey of the State—amended, considered engrossed, read third time, and passed.

Senate bill No. 7, an Act to amend an Act entitled an Act to amend sections thirty-two and thirty-eight of an Act entitled an Act to provide for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two—indefinitely postponed.

Senate bill No. 182, an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, Marsh, and Tide Lands donated to the State of California, by Act of Congress,

passed May thirteenth, eighteen hundred and sixty-one—indefinitely postponed.

Senate bill No. 211, an Act to repeal certain Acts—indefinitely postponed.

Senate bill No. 165, an Act defining the duties of County Treasurers of this State in relation to payment for lands purchased of this State.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. Shannon, Holden, and Oulton, and taken, with the following result :

AYES—Messrs. Crane, Doll, Harvey, Hathaway, Higby, Higgins, McCullough, McNabb, Perkins, Powers, Shannon, Van Dyke, and Wallis—13.

NOES—Messrs. Bogart, Booth, Burnell, Chamberlain, Cunningham, Holden, Oulton, Parks, Porter of Contra Costa, Shurtleff, Vineyard, and Whiting—12.

Senate bill No. 221, an Act granting to parties therein named the right to build a wagon road from Cloverdale, in Sonoma County, to the McDonald House, in Mendocino County, and to collect tolls for travelling thereon—amended, considered engrossed, read third time, and passed.

Senate bill No. 197—ordered to top of file for to-morrow.

Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—amended, and ordered engrossed.

Senate bill No. 214, an Act to amend section eighty of an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—amended, and ordered engrossed.

Senate bill No. 227, an Act to provide for the better maintenance of the indigent sick of Sonoma County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 230, An Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in certain counties to the Townships of Sonoma and Vallejo, in the County of Sonoma—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 213, an Act to authorize the Guardian of certain minor children to convey their real estate—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 205, an Act concerning official fees in Tehama County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 228, an Act for the better protection of private property in certain counties of this State—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 225, an Act for the relief of Dr. S. M. Mouser—rules suspended, considered engrossed, read third time, and passed.

Mr. Perkins moved to adjourn.

Upon which, the ayes and noes were demanded, by Messrs. Perkins, Wallis, and Bogart, and taken, with the following result :

AYES—Messrs. Bogart, Booth, Cunningham, Higby, Kutz, Perkins, Powers, Shannon, Shurtleff, and Wallis—10.

NOES—Messrs. Abell, Burnell, Chamberlain, Doll, Harriman, Harvey, Hathaway, Higgins, McCullough, McNabb, Oulton, Pacheco, Parks, Porter of Contra Costa, and Whiting—15.

Assembly concurrent resolution No. 26, relative to establishing a weekly mail—amended, read third time, and passed.

Mr. Perkins moved to adjourn.

Upon which, the ayes and noes were demanded, by Messrs. Perkins, Wallis, and Shurtleff, and taken, with the following result :

AYES—Messrs. Cunningham, Higby, Kutz, Pacheco, Perkins, Shurtleff, Van Dyke, and Wallis—8.

NOES—Messrs. Abell, Burnell, Chamberlain, Doll, Harriman, Harvey, Hathaway, Higgins, McCullough, McNabb, Oulton, Porter of Contra Costa, Powers, and Shannon—14.

Assembly bill No. 177, an Act to grant the right to construct a turn-pike road from the Town of Fiddletown to Pokerville, in the County of Amador—read third time, and passed.

Assembly bill No. 216, an Act for the relief of D. W. Standeford, Tax Collector of Foreign Miners' Licenses in El Dorado County—read third time, and passed.

Assembly bill No. 63, an Act to exempt certain property belonging to the Esmeralda Rifle Company from taxation—laid on the table.

Assembly bill No. 132, an Act to direct the Controller of State in relation to drawing his warrants on the State Treasury—laid on the table.

The following communication was received from the Controller of State.

OFFICE OF THE CONTROLLER OF STATE,
Sacramento, March 12th, 1863. }

To the Honorable the Senate of California :

A deficiency exists in the appropriation for per diem and mileage of Lieutenant-Governor and Senators for thirteenth fiscal year; also in that for per diem and mileage of Assembly, same year.

The amount necessary to cover deficiencies for the Senate is three thousand dollars \$3,000; for the Assembly, five thousand dollars \$5,000.

There are many claims yet due to members of the last Legislature, which cannot be paid until the above deficiencies are provided for.

Very respectfully,

G. B. WARREN, Controller.

Assembly bill No. 56, an Act to authorize A. W. Von Schmidt, and his associates, to lay down gas pipes in the City and County of San Francisco.

Pending the consideration of the above bill, Mr. Abell moved to adjourn.

Upon which, the ayes and noes were demanded, by Messrs. McNabb, Abell, and Wallis, and taken, with the following result :

AYES—Messrs. Abell, Bogart, Burnell, Chamberlain, Gaskill, Harriman, Hathaway, Higgins, McCullough, Nixon, Parks, Powers, Shannon, and Shurtleff—14.

NOES—Messrs. Booth, Cunningham, Doll, Harvey, Kutz, McNabb, Oulton, Pacheco, Porter of Contra Costa, Saxton, Van Dyke, Wallis, and Whiting—13.

So at five o'clock, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, March 14th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmv.

Journal of yesterday read and approved.

REPORTS.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred Assembly concurrent resolution No. 33, concerning Federal tax on native wines, ask leave to report the same back, with a recommendation that it pass.

PORTER of Contra Costa, Chairman.

Mr. Booth, Chairman of the Committee on State Library, made the following report :

MR. PRESIDENT:—The Committee on State Library, to whom was referred Assembly bill No. 32, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one, have considered the same, and report it back, without recommendation ;

Also, Senate bill No. 178, an Act in relation to Library Associations, and report it back, and recommend its passage.

BOOTH, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 104, an Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto, having had the same under consideration, report it back, amended, and recommend its passage as amended.

VAN DYKE, Chairman.

Mr. Holden, Chairman of the Committee on Public Lands, made the following report :

MR. PRESIDENT:—The Committee on Public Lands have had under consideration Senate bill No. 229, authorizing the issuance of a duplicate School Land Warrant in lieu of lost Warrant No. 90, and I am instructed

to report the same to the Senate, with amendments, and recommend the passage of the bill as amended.

HOLDEN, Chairman.

Mr. ABELL, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:—The Committee on Education have had under consideration Assembly concurrent resolution, No. 14, concerning the establishment of an Agricultural College, and have directed me to report it back, with a recommendation that it pass:

Also, Senate concurrent resolution No. 9, relative to a Mechanical and Agricultural Arts College, and have directed me to report the same back without recommendation:

Also, Senate bill No. 37, an Act to establish an Agricultural and Mechanical Arts College in Napa County, and have directed me to report the same back, without recommendation.

ABELL, Chairman.

Mr. OULTON, Chairman of the Committee on Claims, made the following report:

MR. PRESIDENT:—The Committee on Claims have had under consideration Senate bill No. 101, an Act to authorize the Treasurer of State to issue certain War Bonds, and beg leave to report the same back, and recommend its indefinite postponement:

Also, Senate bill No. 297, an Act appropriating money to pay the claim of the San Francisco Gas Company, and report the same back, and recommend its passage:

Also, the claim of H. L. Weston, for papers furnished the Senate in eighteen hundred and fifty-five, eighteen hundred and sixty, and eighteen hundred and sixty-two; of T. L. Thompson, for papers furnished the Senate in eighteen hundred and sixty-two; of A. Chabot, fees as witness in Bonister Water Company case, in eighteen hundred and sixty; and of Robert Nixon, Jr., for papers furnished the Senate in eighteen hundred and sixty-two, and report the same back, with the accompanying bill, and recommend the passage of the bill:

Also, the claim of H. C. Shackles, for moneys expended in quelling riot in Shasta County in the months of February and March, one thousand eight hundred and sixty, and report the same back, with the accompanying bill, and recommend the passage of the bill.

Your committee, on March tenth, reported back Assembly bill No. 99, an Act to pay the claim of W. A. Cornwall, with the recommendation that it be indefinitely postponed; since that report was made, an affidavit of W. R. May was submitted to the Committee as additional evidence in support of the claim of Mr. Cornwall, and the Committee now beg leave to submit this supplemental report, and present to the Senate the reasons which induced your committee to make such recommendation.

Mr. Cornwall was Secretary of the Senate from January third to March twenty-second, eighteen hundred and fifty-five, and the claim is for "copy" of the Journals of the Senate furnished the State Printer during the time he was Secretary.

On March twenty-second Mr. Cornwall was removed from the office of Secretary, by vote of the Senate; (see Senate Journal page 497)

On March twenty-third, a resolution was adopted authorizing the Presi-

dent and Secretary of the Senate and Mr. May to examine accounts and settle with Mr. Cornwall, late Secretary of the Senate; (Senate Journal, page 471.)

On April fifth, W. R. May, of the committee, reported that they had made a computation, and found three hundred and eight dollars due Mr. Cornwall, and submitted a resolution authorizing the Sergeant-at-Arms to draw his warrant in favor of Mr. Cornwall for the amount found to be due him by the committee, which resolution was referred to the Committee on Claims; (Senate Journal, page 563.)

On April twelfth, Wilson Flint, Chairman of the Committee on Claims, reported the resolution back, and recommended its passage; (See Senate Journal, page 602.)

On January twenty-fourth, eighteen hundred and fifty-six, a communication and papers relating to his claim, were received from Mr. Cornwall, and referred to the Committee on Claims; (Senate Journal, 1856, pages 170 and 171.)

On the twenty-ninth of January, eighteen hundred and fifty-six, D. R. Ashley, Chairman of the Committee on Claims, made a report, in which he says: "Mr. Cornwall's claim is neither legal nor equitable, but is founded solely on a *peculative custom*," etc., and recommended its rejection. The report was immediately adopted, and the claim rejected; (Senate Journal, page 183.)

Subsequent to this, Mr. Hawthorne presented a report, signed by himself and J. W. Mandeville, of the Committee on Claims, recommending the payment of the claim of Mr. Cornwall, and founded their recommendation on the grounds that it had formerly been the *custom* to pay such claims, and not upon the justice or validity of the claim itself, and submitted a resolution to allow the claim, which resolution, on motion of Mr. Coffroth, was recommended to the Committee on Claims; (Senate Journal, page 197.)

On February second, Messrs. Hawthorne and Mandeville again reported on the claim, and presented other papers in the case, and asked the favorable consideration of the Senate upon the same. Further proceedings were had on the claim, and after a call of the Senate, the whole matter was indefinitely postponed, and notice given by Mr. Burnett that on Monday he would move a reconsideration of the vote; (Senate Journal, pages 205—8.)

In accordance with notice, Mr. Burnett moved a reconsideration, upon which the ayes and noes were demanded, and the motion to reconsider was carried.

Mr. Coffroth moved to lay the subject on the table—lost.

Mr. Ashley moved that the resolution be indefinitely postponed, upon which the ayes and noes were demanded, and the resolution was indefinitely postponed; (Senate Journal, page 218.)

The claim of Mr. Cornwall was again presented in the Senate in the year eighteen hundred and sixty two, and referred to the Committee on Claims. Afterwards, Mr. Cornwall asked and obtained leave to withdraw it from before the Senate.

The affidavit of Mr. May, submitted to your committee since their report of March tenth, shows that the number of folios contained in the Senate Journal from January third till March twenty-second, eighteen hundred and fifty-five, was two thousand and ninety-seven, which, at forty cents per folio, would amount to eight hundred and thirty-eight dollars and eighty cents, which sum is due Mr. Cornwall, instead of three hundred and eight dollars, as reported by him on April fifth, eighteen

hundred and fifty-five; whilst the bill No. 93, which passed the Assembly this year, appropriates only seven hundred and forty-one dollars and eighty-four cents. But the discrepancy in the amounts claimed at different times has not influenced your committee in recommending the rejection of the claim. We have recommended its rejection from a conviction that it is neither a just nor legal claim against the State:

First—Because the Senate, for which the service is said to have been performed, refused to allow it.

Second—The Senate of the succeeding year, after repeated considerations of the claim, rejected it also.

From the report of the Chairman of the Committee on Claims, in the year eighteen hundred and fifty-six, we are led to suppose that the "copy" furnished the State Printer was prepared by Clerks employed and paid by the State, whilst the evidence before the Committee on Claims last year, represented that most of it was in Mr. Cornwall's handwriting. If it was prepared by Mr. Cornwall, he should not receive pay by the folio, for he was receiving at the same time his per diem as Secretary of the Senate—if it was prepared by Clerks paid by the State, he certainly should not.

But if the claim is an equitable one against the State, your committee are of opinion that the bill should not pass in its present form, as the claim accrued prior to funding the unconstitutional debt of the State, and should be submitted to a vote of the people before an appropriation is made to pay it.

OULTON, Chairman.

Mr. Harvey made the following report:

MR. PRESIDENT:—The El Dorado and Placer delegations, to whom was referred Senate bill No. 112, an Act to define the boundary line of El Dorado County, have had the same under consideration, and report the same back, and recommend its passage without amendment.

HARVEY, for Delegations.

Senate bill No. 112, above reported, considered engrossed, read third time, and passed.

Mr. Abell presented a claim of Peter E. Ferrell against the State.

Referred to the Committee on Claims.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 12th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 61, an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March twentieth, eighteen hundred and fifty-eight.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,

March 11th, 1863. }

MR. PRESIDENT:—The Assembly, this day, concurred in Senate concurrent resolution No. 19, relative to adjournment *sine die* on April eighth;

Also, concurred in Senate amendments to Assembly bill No. 282, an Act to transfer certain funds;

Also, passed Assembly bill No. 289, an Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe two hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

March 13th, 1863. }

MR. PRESIDENT:—The Assembly have adopted the report of the Committee of Free Conference on the disagreeing vote of the two Houses on Senate amendments to Assembly joint resolution No. 1, declaratory of the adoption of the Amendments to the Constitution proposed by the Legislature at its twelfth session;

Also, on the eleventh instant, passed Assembly bill No. 308, an Act fixing the salary of the District Attorney of the County of Siskiyou;

Also, this day, passed Senate bill No. 155, an Act fixing the time for holding the terms of the District Court in Lake County.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 308, above reported, read first and second times, and ordered on file.

Assembly bill No. 289, above reported, read first and second times, rules suspended, read third time, and passed.

Pending the consideration of the report of the Committee of Conference on Assembly joint resolution No. 1, above reported, the hour arrived for the special order, (the General File.)

GENERAL FILE.

Senate bill No. 197, an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands donated to the State of California by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one—amended, rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 56, an Act to authorize A. W. Von Schmidt, and his associates, to lay down gas pipes in the City and County of San Francisco.

The Senate having adjourned on yesterday during the consideration of the above bill, a point of order was raised that the bill should go on unfinished business.

The Chair decided that if the Senate adjourn during the consideration of a bill on the General File, the bill resumes its place on file.

Mr. Perkins appealed from the decision of the Chair.

Upon the question: "Shall the decision of the Chair stand as the judgment of the Senate?" the ayes and noes were demanded, by Messrs. Dell, Gaskill, and Oulton, and taken, with the following result:

AYES—Messrs. Baker, Booth, Burnell, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, Higgins, Kutz, Lewis, McNabb, Nixon, Oulton, Parks, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—21.

NOES—Mr. Gaskill—1.

Mr. Abell moved to place the bill at top of the file for Wednesday, March eighteenth.

Lost.

The bill was then considered in Committee of the Whole, when Mr. Powers moved to place the bill at the top of the file for Wednesday, March eighteenth.

On which, the ayes and noes were demanded, by Messrs. Powers, Gaskill, and Oulton, and taken, with the following result:

AYES—Messrs. Burnell, Chamberlain, Clark, Cunningham, Gaskill, Hathaway, Higgins, McCullough, Powers, Van Dyke, Vineyard, and Wallis—12.

NOES—Messrs. Baker, Dell, Harvey, Higby, Kutz, Lewis, Oulton, Parks, Saxton, Shurtleff, and Whiting—11.

At three o'clock, P. M., Mr. Lewis moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. McCullough, Oulton, and Gaskill, and taken, with the following result:

AYES—Messrs. Baker, Gaskill, Harvey, Hathaway, Higgins, Kutz, Lewis, Oulton, Powers, Saxton, Van Dyke, Vineyard, and Wallis—13.

NOES—Messrs. Burnell, Clark, Cunningham, Dell, Higby, McCullough, Parks, Shurtleff, and Whiting—9.

So the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Monday, March 16th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Mr. Crane was granted indefinite leave of absence; Mr. Cavis, and Mr.

Porter of Santa Cruz, were granted leave of absence for two days; and Messrs. Abell, Anderson, Birdseye, Bogart, Booth, Holden, Pacheco, and Perkins, were each granted one day leave of absence.

Journal of Saturday last read and approved.

PETITIONS.

Mr. Clark presented a petition of citizens of Alameda County, asking for the Oakland and San Antonio Steam Navigation Company the right to construct a wharf and ferry landing in San Francisco.

Referred to Committee on Commerce and Navigation.

Also, a petition of citizens of Alameda County, asking the passage of an Act for the improvement of the navigation of San Antonio Creek.

Referred to Committee on Commerce and Navigation.

Also, a petition of merchants of San Francisco, asking for amendments to State Gauger law.

Referred to Committee on Finance.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 237, an Act to amend an Act conferring certain powers upon certain Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight, having had the same under consideration, report it back, amended, and passage recommended as amended:

Also, Assembly bill No. 60, an Act to amend an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three, approved April twenty-eighth, eighteen hundred and fifty-seven, and Acts amendatory thereof, report the same back, amended, and recommend its passage as amended.

VAN DYKE, Chairman.

Mr. Cunningham, Chairman of the Committee on Public Expenditures, made the following report:

MR. PRESIDENT:—The Committee on Public Expenditures, to whom was referred Senate bill No. 140, an Act for the relief of Colonel Roderick Matheson, have had the same under consideration, and report the same back, and recommend that it do not pass.

CUNNINGHAM, Chairman.

Leave was granted the introducer to withdraw Senate bill No. 140, above reported.

Mr. Doll, from the Committee on Public Lands, made the following report:

MR. PRESIDENT:—The Committee on Public Lands, to whom was referred Senate bill No. 52, making certificates of purchase evidence of title, with special instructions to amend, have amended the bill as instructed, and report the same back to the Senate.

DOLL, for Committee.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 2, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty ;

Also, Senate substitute for Assembly bill No. 19, an Act concerning District Attorneys, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 76, an Act to grant the right to construct a turn-pike road from Doshe's Store, in Lone Valley, to the Town of Jackson, in the County of Amador ;

Also, Senate bill No. 106, an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight.

And this day, the fourteenth of March, eighteen hundred and sixty-three, at one o'clock and twenty minutes, P. M., delivered the same to the Governor, for his approval.

HIGGINS, Chairman.

Mr. Harvey, of the El Dorado delegation, made the following report :

MR. PRESIDENT :—The El Dorado delegation, to whom was referred Assembly bill No. 65, an Act to regulate the fees of County Clerk of El Dorado County in civil cases, have had the same under consideration, and report the same back, with amendments, and recommend its passage as amended.

HARVEY, for Delegation.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 22, an Act concerning officers ;

Also, Senate bill No. 130, an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto ;

Also, Senate bill No. 197, an Act to amend an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands donated to the State by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one.

BURNELL, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Committee on Claims, for an Act appropriating money to pay the claim of H. C. Stockton.

Read first and second times, and ordered on file.

Also, for an Act appropriating money to pay certain claims.

Read first and second times, and ordered on file.

By Mr. Porter of Contra Costa, for an Act to authorize William Kohl, and his associates, to establish and maintain a steam ferry.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Cunningham, for an Act to ascertain the indebtedness of the County of Nevada to the County of Yuba, and to provide for the payment of the same.

Read first and second times, and referred to the Yuba and Nevada delegations.

By Mr. Higgins, for an Act concerning the records and papers in the office of the County Clerk of Placer County.

Read first and second times, and referred to the Placer delegation.

By Mr. Harriman, for an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto.

Read first and second times, and referred to the Placer delegation.

By Mr. McNabb, for an Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and the amendments to the same, approved April eleventh, eighteen hundred and fifty-nine.

Read first and second times, and referred to the Sonoma delegation.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Higby, for an Act making the county offices of Calaveras County salaried offices ;

Also, for an Act uniting the offices of County Clerk and Auditor in Calaveras County, making them one office.

GENERAL FILE.

Senate bill No. 235, an Act to provide for the maintenance and supervision of Public Schools, and to repeal former Acts concerning the same—ordered to top of file for Wednesday, March eighteenth.

Senate bill No. 144, an Act to amend an Act to grant H. J. May, Charles M. Baxter, William Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a county road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two—read third time, and passed.

Senate bill No. 164, an Act to incorporate the Town of San Luis Obispo—read third time, and passed.

Assembly bill No. 160, an Act to confer certain powers upon the Board of Education of the City of Stockton, and for the transfer of certain moneys from the School Fund of San Joaquin County to the School Fund of the City of Stockton—read third time, and passed.

Assembly bill No. 204, an Act to change the name of Anderson Walker to Anderson Monroe Walker—read third time, and passed.

Assembly bill No. 237, an Act to authorize the construction of a wagon road up City Creek Cañon, into Little Bear Valley, in San Bernardino County—read third time, and passed.

Assembly bill No. 162, an Act concerning the redemption of real estate in certain cases—laid on the table.

Senate bill No. 208, an Act to change the venue in certain cases from the Courts of Justice of this State to Federal Courts—laid on the table.

Assembly bill No. 71, an Act to authorize S. Spencer, T. B. Simpson, and their associates, to construct a toll bridge across the Yuba River, at or near Sand Flat, in Yuba County—amended, read third time, and passed.

Assembly bill No. 74, an Act concerning roads and highways in the County of Shasta—amended, read third time, passed, and title amended.

Assembly bill No. 246, an Act to require the County Judge of Colusa County to reside at the county seat—amended, read third time, passed, and title amended.

Senate bill No. 185, an Act to provide for the punishment of persons cutting the timber upon or carrying the same when cut down from any of the Swamp and Overflowed, Tide, or Marsh, and School Lands of this State—amended, rules suspended, bill considered engrossed, read third time, passed, and title amended.

Senate bill No. 160, an Act concerning crimes and punishments—amended, rules suspended, bill considered engrossed, and read third time.

On its passage, the ayes and noes were demanded, by Messrs. Vineyard, Oulton, and Doll, and taken, with the following result :

AYES—Messrs. Burnell, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Higby, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—20.

NOES—Messrs. Baker, Doll, Lewis, and Vineyard—4.

Senate bill No. 166, an Act to amend an Act concerning crimes and punishments, which took effect May sixth, eighteen hundred and fifty—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 216, an Act to amend an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one—laid on the table.

Senate bill No. 219, an Act amendatory of and supplementary to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 93, an Act for the payment of William A. Cornwall—ordered to top of file for Wednesday, March twenty-fifth.

On motion of Mr. Shurtleff, the vote by which Senate bill No. 74 was passed was reconsidered, bill further amended, and ordered laid on the table.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT:—The Committee on Corporations, to whom was referred Assembly bill No. 23, an Act concerning the Independent Order of Good Templars, have considered and amended the same, and report the same back, recommending its passage as amended.

WHITING, Chairman.

Assembly bill No. 23, above reported, was read third time, and passed.

Assembly bill No. 88, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—amended, read third time, and passed.

Mr. Burnell introduced a bill for an Act to amend an Act entitled an Act to authorize the Board of Supervisors of Amador County to levy a special tax, and create a Redemption Fund, for the payment of outstanding road warrants in said county, approved March fifth, eighteen hundred and sixty-three—read first and second times, rules suspended, considered engrossed, read third time, passed, and Forty-Fifth Rule suspended.

Mr. McNabb introduced a bill for an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE RESUMED.

Assembly bill No. 186, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two—amended, read third time, and passed.

Assembly bill No. 171, an Act to grant the right to J. Waldron Calder and others to lay water pipes for the purpose of supplying the Town of Aurora with pure water—amended, read third time, and passed.

Assembly bill No. 22, an Act granting to F. K. Bechtel and others the right to erect gas works and lay gas pipes for the purpose of supplying the Town of Aurora with illuminating gas—amended, read third time, and passed.

Assembly bill No. 91, an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto—amended.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs McCullough, Gaskill, and Wallis, and taken, with the following result :

AYES—Messrs. Baker, Burnell, Doll, Harvey, Lewis, Nixon, Parks, and Vineyard—8.

NOES—Messrs. Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Oulton, Porter of Contra Costa, Powers, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—19.

The bill was further amended.

On motion of Mr. Shurtleff, the usual number of copies were ordered printed, and bill placed at top of file for Friday, March twentieth.

Senate bill No. 6, an Act to amend an Act entitled an Act to provide for the appointment of a Measurer of Wood in and for the City of San Francisco—substitute adopted.

Mr. McNabb offered an amendment, to strike out all after the enacting clause, and insert the following :

SECTION 1. The Act entitled an Act to provide for the appointment of

a Measurer of Wood in and for the City and County of San Francisco, approved April twenty-eighth, eighteen hundred and sixty-two, is hereby repealed.

SEC. 2. This Act shall take effect from and after its passage.

On the adoption of which, the ayes and noes were demanded, by Messrs. McNabb, Shannon, and Parks, and taken, with the following result :

AYES—Messrs. Chamberlain, Doll, Hathaway, Higby, McCullough, McNabb, Porter of Contra Costa, Saxton, Shannon, Van Dyke, Vineyard, and Whiting—12.

NOES—Messrs. Burnell, Clark, Cunningham, Gaskill, Harriman, Parks, Powers, Shurtleff, and Wallis—9.

Rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes—re-committed to the Sacramento delegation.

Senate bill No. 215, an Act to provide for the collection of taxes in this State on consigned goods—ordered to top of file for Wednesday, March eighteenth.

Senate bill No. 231, an Act supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

On the motion to suspend the rules and consider the bill engrossed, the ayes and noes were demanded, by Messrs. Gaskill, Parks, and Doll, and taken, with the following result :

AYES—Messrs. Burnell, Clark, Cunningham, Doll, Gaskill, Harriman, McCullough, Shannon, Shurtleff, Vineyard, and Wallis—11.

NOES—Messrs. Chamberlain, Hathaway, Higby, McNabb, Oulton, Parks, Powers, Saxton, Van Dyke, and Whiting—10.

So the motion to suspend the rules was lost.

On the motion to order the bill to be engrossed and read third time, the ayes and noes were demanded, by Messrs. McCullough, Doll, and Chamberlain, and taken, with the following result :

AYES—Messrs. Burnell, Chamberlain, Clark, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, McCullough, McNabb, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—21.

NOES—Messrs. Parks and Vineyard—2.

Assembly concurrent resolution No. 33, concerning Federal tax on native wines—read third time, and adopted.

Assembly concurrent resolution No. 34, concerning the establishment of an Agricultural College—returned to file.

Assembly bill No. 104, an Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto—amended, read third time, and passed.

Assembly bill No. 308, an Act fixing the salary of the District Attorney of the County of Siskiyou—read third time, and passed.

Senate bill No. 97, an Act to establish an Agricultural and Mechanical Arts College in Napa County—ordered to top of file for Saturday, March twenty-first.

Senate bill No. 178, an Act in relation to Library Associations—rules suspended, considered engrossed, read third time, passed, and Forty-Fifth Rule suspended.

Assembly bill No. 32, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one—indefinitely postponed.

Mr. Gaskill gave notice of a motion to reconsider.

Senate concurrent resolution No. 9, relative to Mechanical and Agricultural Arts College—ordered on file for Saturday, March twenty-first.

Senate bill No. 229—returned to file.

Senate bill No. 207—returned to file.

Senate bill No. 191, an Act to authorize the Treasurer of State to issue certain war bonds—indefinitely postponed.

Assembly joint resolution No. 1 was, on motion of Mr. Van Dyke, taken from unfinished business, and placed on file.

At four o'clock and fifty minutes, P. M., on motion of Mr. Burnell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Thursday, March 17th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

PETITIONS.

Mr. Van Dyke presented a petition of citizens of Humboldt County, asking that the Board of Supervisors of Humboldt County may levy a tax to pay a bounty to soldiers in said county.

Laid on table.

Mr. Pacheco presented a petition of citizens of Santa Barbara County, asking that said county be exempted from the operation of the sheep law.

Referred to Committee on Agriculture.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 17, relative to the **currency of the State** ;

Also, Senate concurrent resolution No. 18, relative to the State's title to lands at Point San Quentin, and directing the Attorney-General to investigate the same ;

Also, Senate bill No. 87, an Act to repeal section second of an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty ;

Also, Senate bill No. 158, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof ;

And this day, March sixteenth, eighteen hundred and sixty-three, at twelve o'clock and thirty minutes, p. m., delivered the above bills to the Governor, for his approval.

HIGGINS, Chairman.

Mr. Saxton, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, Senate bill No. 210, an Act regulating fees of office of Justices of the Peace in the County of San Joaquin ;

Also, Senate bill No. 11, Amendments to the Constitution ;

Also, Senate bill No. 199, an Act to provide for salaries of the Judiciary.

SAXTON, for Committee.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report :

MR. PRESIDENT :—The Committee on Contingent Expenses have examined, and found correct, the following bills :

Claimants.	Amount.
George I. Lytle, including bills of Maria Hailey for rent.....	\$75 00
Locke & Lavenson, sundries.....	18 00
Swinerton, sundries.....	14 00
J. M. Jordan, rent.....	15 00
Leonard & Seamen, sundries.....	75
Amador Ledger.....	45 00
San Francisco Herald and San Francisco Journal	26 50

Claimants.	Amounts.
Mountain Messenger	6 00
Christian Advocate	21 00
Sierra Democrat.....	9 00
American Flag.....	18 00
Oroville Union.....	5 00
Yreka Journal	13 50
Calaveras Chronicle.....	18 00
Wine and Wool Register	3 00
Pacific.....	15 00
Yreka Union	10 00
Quincy Union.....	57 00
Hartley, room rent for Finance Committee.....	35 00
Postmaster, postage and box rent	17 50
Total	\$422 25

The committee recommend the adoption of the following resolution :

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of the above parties for the several amounts, payable out of the Contingent Fund of the Senate.

The committee have had under consideration Senate resolution, allowing E. W. Corbett twenty-five dollars, for expenses incurred while accompanying the Finance Committee to San Francisco, and report the same back, without recommendation.

POWERS, Chairman.

The resolution, relating to pay of E. W. Corbett, was laid on the table.

Mr. Harriman made the following report :

MR. PRESIDENT :—The Placer delegation, to whom was referred Senate bill No. 246, an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto, have had the same under consideration, report it back, without amendment, and recommend its passage.

HARRIMAN,
HIGGINS.

Senate bill No. 246, above reported, considered engrossed, read third time, and passed.

Mr. Gaskill, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :—The Committee on Elections, to whom was referred Senate resolution, relating to the right of Leander Quint to a seat on this floor, as a Senator from the Twelfth Senatorial District, composed

of the Counties of Tuolumne and Mono, have had the same under consideration, and beg leave to make the following report :

Your committee were all members of the Legislature of eighteen hundred and sixty-two, when a large amount of evidence was taken in this case, and the case of Orr vs. Davis, in the Assembly. Both contests depended on the returns from a place called Big Springs Precinct, White Mountain District, Mono County. Without the vote of this precinct, said Leander Quint and B. K. Davis were not elected, falling short some two hundred votes. Your committee still continue of the same opinion now that they had at the last session, to wit : that no election was ever held at said Big Springs Precinct; that the returns said to have come from there were false and forged, and that said Quint was wrongfully admitted to retain a seat in this Senate at its last session. Believing, therefore, that this Senate has a right to review the action of the last Senate on this question, and to change, alter, or rescind the same; and believing also that a gross wrong was committed in this case, which, if left unnoticed, might be a cause of censure on the members of this Senate, your committee therefore report back a substitute for the resolution, and recommend its adoption.

The testimony taken in this case will be found in the appendix to Senate Journal of last session; also the report of the Committee on Elections of last session, on page three hundred and twenty-five of the Journal of last session, report of the minority of said Committee, on page three hundred and forty-six, same Journal.

GASKILL,
Chairman.
SHANNON,
McCULLOUGH.

The resolution above reported was ordered to top of file for Friday, March twentieth.

Mr. McNabb made the following report :

MR. PRESIDENT :—The Sonoma delegation have had under consideration Senate bill No. 247, an Act supplementary to an Act to incorporate the Town of Petaluma, and report the same back, with an amendment to the second section, to be inserted after the last word in said section, as follows : “ *Provided*, that all persons subject to the payment of the above street tax shall be exempt from the payment of the county road tax of Sonoma County,” and recommend its passage as amended.

McNABB, for Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
Sacramento, March 16th, 1863.)

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 158, an Act amendatory of and supplemental to an Act entitled an Act to incorporate the City of San Jose, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof;

Also, Senate bill No. 2, an Act to amend an Act entitled an Act to

regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

LELAND STANFORD, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 16th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 137, an Act to repeal section one of an Act entitled an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the records and ascertain the present existing debt of said county, and to allow a reasonable compensation for the same, and also to allow a reasonable compensation for the examination already made of the tax rolls of said county for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty;

Also, Senate bill No. 84, an Act amendatory of an Act relating to the indenturing of minors, passed May twelfth, eighteen hundred and sixty-two;

Also, Senate bill No. 69, an Act to amend section one hundred and forty of an Act concerning crimes and punishments, approved April fifteenth, eighteen hundred and fifty;

Also, Senate bill No. 83, an Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one;

Also, Senate bill No. 14, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, Senate substitute for Assembly bill No. 30, an Act to amend an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six;

Also, Senate bill No. 81, an Act to amend an Act entitled an Act defining the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty;

Also, Senate bill No. 115, an Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets in said city;

Also, Senate bill No. 110, an Act to authorize the Board of Supervisors of Trinity County to levy a tax for a County Building Fund;

Also, Senate bill No. 8, an Act for the relief of Manasseh Sleeper, Tax Collector of Siskiyou County;

Also, Senate bill No. 104, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of which and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty-seven;

Also, Senate bill No. 103, an Act to amend an Act entitled an Act to confer further powers upon the Board of Education, and the Auditor, and Treasurer of the City and County of San Francisco, also amendatory of

an Act approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors, and Auditor, and County Treasurer of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 16th, 1863. }

MR. PRESIDENT:—The Assembly, on the fourteenth instant, passed Assembly bill No. 245, an Act for the improvement of horses and cattle;

Also, on the eleventh of March, passed Assembly bill No. 265, an Act authorizing the County Treasurer of Placer County to transfer money from the General Fund to the School Fund of the county;

Also, on the tenth instant, passed Assembly bill No. 267, an Act to amend an Act entitled an Act to authorize the funding of the unfunded debt of the City of San José, and to provide for the payment of the same, approved April twenty-first, eighteen hundred and fifty-eight;

Also, on March fourteenth, passed Assembly bill No. 281, an Act to protect certain parties in and to a railroad survey to connect Portland, Oregon, with Marysville, California;

Also, on March fourteenth, passed Senate bill No. 129, an Act authorizing the Board of Supervisors of Los Angeles County to make a special appropriation for the work and labor to be done upon the Santa Anna, Eagle, and Marble Mines Road;

Also, on March fourteenth, amended and passed Senate bill No. 127, an Act amendatory of and supplemental to an Act entitled an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties on the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight;

Also, this day, concurred in Senate amendments to Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and sixty-two.

W. N. SLOOTM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 281, above reported, read first and second times, and referred to the delegations from Butte, Yuba, Shasta, and Tehama.

Assembly bill No. 267, above reported, read first and second times, and referred to the Santa Clara delegation.

Assembly bill No. 265, above reported, read first and second times, and referred to the Placer delegation.

Assembly bill No. 245, above reported, read first and second times, and referred to the San Bernardino delegation.

Assembly amendment to Senate bill No. 127, above reported, concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Higgins, for an Act providing for a Camp of Military Instruction in this State.

Read first and second times, and referred to the Military Committee.

By Mr. Chamberlain, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Burnell, for an Act supplementary to and amendatory of an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Committee on Elections.

By Mr. Cavis, for an Act to authorize Edward Gallagher, James Gallagher, E. A. Pool, and their associates and assigns, to lay down water pipes in the Town of Aurora, County of Mono.

Read first and second times, and ordered on file.

Assembly bill No. 162, an Act concerning redemptions of real estate in certain cases, was taken from the table, amended, and ordered on file.

Assembly bill No. 74, an Act concerning roads and highways in the County of Shasta, was taken from the table, read third time, and passed.

GENERAL FILE.

Senate bill No. 146, an Act concerning the Insane Asylum of the State of California, and to levy a tax therefor.

Mr. Cunningham offered an amendment.

Mr. Parks moved that the amendment be printed, and that the bill be made the special order for Friday next, at twelve o'clock.

Upon which the ayes and noes were demanded, by Messrs. McNabb, Cunningham, and Burnell, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Bogart, Burnell, Cunningham, Harvey, Higby, Higgins, Nixon, Oulton, Pacheco, Parks, Porter of Contra Costa, Shannon, and Vineyard—15.

NOES—Messrs. Abell, Birdseye, Cavis, Chamberlain, Gaskill, Harriman, Hathaway, McNabb, Perkins, Porter of Santa Cruz, Powers, Saxton, Shurtleff, Wallis, and Whiting—15.

SPECIAL ORDER.

Pending further consideration of the bill, the special order of the day, Senate bill No. 209, an Act to provide for the better defence of the State, was taken up.

Mr. Gaskill moved to reconsider the vote by which Senate bill No. 32, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one, was indefinitely postponed.

Mr. Perkins moved to make the motion to reconsider the special order for to-morrow, at two o'clock, P. M.

Upon which, the ayes and noes were demanded, by Messrs. Perkins, Powers, and Vineyard, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Birdseye, Bogart, Cavis, Chamberlain, Cunningham, Gaskill, Hathaway, Higby, Kutz, Lewis, McCallough, McNabb, Nixon, Pacheco, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Van Dyke, Wallis, and Whiting—24.

NOES—Messrs. Burnell, Clark, Harriman, Harvey, Higgins, Parks, Shannon, Shurtleff, and Vineyard—9.

The Senate then proceeded to the consideration of the special order. The bill was considered in Committee of the Whole, and reported to the Senate, with amendments.

Mr. Hathaway moved to re-commit to the Military Committee.

Lost.

The amendments made, in the Committee of the Whole were concurred in, and the bill ordered engrossed.

At four o'clock and forty minutes, p. m., on motion of Mr. Porter of Santa Cruz, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : **JOHN WHITE,** Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Wednesday, March 18th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Journal of yesterday read and approved.

Mr. Clark presented a petition of citizens of Alameda County, asking that the Oakland and San Antonio Steam Navigation Company be allowed to erect a wharf in San Francisco.

Referred to Committee on Commerce and Navigation.

REPORTS.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate Bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty ;

Also, Senate Bill No. 205, an Act concerning official fees in the County of Tehama ;

Also, Senate bill No. 112, an Act to define the boundary line of El Dorado County ;

Also, Senate bill No. 6, an Act to repeal an Act to provide for the appointment of a Measurer of Wood in and for the City and County of San Francisco, approved April twenty-eighth, eighteen hundred and sixty-two.

BURNELL, Chairman.

Mr. Bogart made the following report :

MR. PRESIDENT :—The delegation from San Bernardino have had Assembly bill No. 245 under consideration, report the same back, and recommend its passage.

BOGART, for Delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
March 17th, 1863. }

MR. PRESIDENT :—The Assembly, on the sixteenth of March, concurred in Senate amendments to Assembly bill No. 9, an Act to authorize the Board of Supervisors of the County of El Dorado to subscribe two hundred thousand dollars to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto ;

Also, on same day, concurred in Senate amendments to Assembly bill No. 177, an Act to grant the right to construct a turnpike road from the Town of Fiddletown to Pokerville, in the County of Amador ;

Also, took up Senate bill No. 35, found a Senate amendment not indorsed, and ordered the Clerk to transmit the bill to the Senate for explanation ;

Also, March sixteenth, amended and passed Senate bill No. 40, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, March sixteenth, passed Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Tide, and Salt, and Marsh Lands ;

Also, March sixteenth, passed Senate bill No. 85, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one ;

Also, March sixteenth, indefinitely postponed Senate bill No. 89, an Act exempting the Counties of San Diego and San Bernardino from the operation of the Game Law, passed May thirtieth, eighteen hundred and fifty-four, and amended April fifteenth, eighteen hundred and fifty-seven ;

Also, March sixteenth, passed Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of this State, passed February twentieth, eighteen hundred and fifty-seven ;

Also, March sixteenth, amended and passed Senate bill No. 123, an Act to amend an Act entitled an Act in relation to public roads in Calaveras County, approved April tenth, eighteen hundred and sixty-two ;

Also, March sixteenth, indefinitely postponed Senate bill No. 148, an

Act to authorize Ephraim J. Dodge, Administrator of the estate of James M. Clark, to sell and convey the realty belonging to said estate;

Also, March sixteenth, passed Senate bill No. 150, an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said County, approved February twenty-seventh, eighteen hundred and sixty-two;

Also, March sixteenth, passed Senate bill No. 202, an Act to define the boundary of Sierra County, to collect certain taxes, to transfer certain records, and to legalize certain civil actions determined and pending in the Courts of Sierra and Plumas;

Also, March sixteenth, passed Senate bill No. 163, an Act to change the name of Victor Desere to William Henry Roberts;

Also, passed Senate bill No. 168, an Act granting the right to construct and maintain a bridge across the American River, near Rattlesnake Bar, in the Counties of Placer and El Dorado;

Also, passed Senate bill No. 186, an Act to exempt from taxation certain property of the Society of California Pioneers;

Also, passed Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco;

Also, March tenth, passed Assembly bill No. 86, an Act to amend an Act to provide revenue for the support of the government of this State, passed May fifteenth, eighteen hundred and fifty-four;

Also, March sixteenth, passed Assembly bill No. 144, an Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty;

Also, March sixteenth, passed Assembly bill No. 239, an Act to grant the right to construct a bridge across the Stanislaus River, at a place known as Peoria Bar, to certain persons therein named;

Also, March sixteenth, passed Assembly bill No. 321, an Act to amend an Act to prohibit gaming, approved March seventh, eighteen hundred and sixty;

Also, March sixteenth, passed Assembly bill No. 257, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, March sixteenth, passed Assembly bill No. 283, (substitute for Senate bills Nos. 18 and 108.) an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty;

Also, March tenth, passed Assembly bill No. 185, an Act for the better protection of the Treasury of the County of Placer;

Also, March fourteenth, passed Assembly bill No. 124, an Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe one hundred thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto;

Also, March seventeenth, passed Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains in San Luis Obispo County.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
March 18th, 1863. }

Mr. PRESIDENT:—The Assembly, on March tenth, passed Assembly bill

No. 96, an Act to ratify and confirm a certain ordinance passed by the Common Council of the city of Oakland, and approved by the Mayor of said city, November twenty-sixth, eighteen hundred and sixty-one ;

Also, on March thirteenth, passed Assembly bill No. 168, an Act to separate the office of County Recorder from the office of County Clerk in the Counties of Napa and Mendocino ;

Also, March fourteenth, passed Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof ;

Also, on the same day, passed Assembly bill No. 309, an Act to change the name of New San Pedro, a town in Los Angeles County ;

Also, concurred in Senate amendments to Assembly concurrent resolution No. 26, relative to the establishment of a weekly mail.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 86, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 257, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 185, above reported, read first and second times, and referred to the Placer delegation.

Assembly bill No. 283, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 321, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 144, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 96, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 239, above reported, read first and second times, and placed on file.

Assembly bill No. 124, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 197, above reported, read first and second times, and referred to special committee, consisting of Messrs. Doll, Birdseye, Hariman, Pacheco, and Wallis.

Assembly bill No. 309, above reported, read first and second times, and referred to the Los Angeles delegation.

Assembly bill No. 168, above reported, read first and second times, and referred to the Mendocino delegation.

Assembly amendments to Senate bill No. 40, above reported, were concurred in.

Assembly amendments to Senate bill No. 123, above reported, were concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act concerning the publication of advertisements.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hathaway, for an Act concerning roads and highways in the County of San Mateo.

Read first and second times, and referred to the San Mateo delegation.

By Mr. Parks, for an Act amendatory of and supplementary to an Act entitled an Act for the education of the indigent Deaf and Dumb and Blind in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one.

Read first and second times, and ordered on file.

Also, for an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Shannon, for an Act to define and establish the eastern boundary line of the State.

Read first and second times, and referred to Special Committee on Boundary Line.

Also, for an Act creating a Board of Commissioners to revise and codify the laws of this State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Dell, for an Act supplemental to an Act entitled an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Booth, for an Act to incorporate the City of Sacramento

Read first and second times, and placed on file.

By Mr. Perkins, for an Act to provide for the compensation of the School Directors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McNabb, for an Act to legalize a survey of Green's Addition to the Town of Santa Rosa, in Sonoma County.

Read first and second times, and referred to the Sonoma delegation.

Assembly bill No. 63, an Act to exempt certain property belonging to the Esmeralda Rifle Company from taxation—taken from the table, read third time, and passed.

Senate bill No. 22, an Act concerning officers—read third time, and passed.

Senate bill No. 199, an Act to provide for salaries of the Judiciary—read third time, and passed.

On motion of Mr. Parks, the Secretary was directed to place all engrossed bills at top of the file.

On motion of Mr. Shurtleff, the resolution authorizing the payment of twenty-five dollars to E. W. Corbett, Clerk of the Finance Committee, was taken from the table, and adopted.

On motion of Mr. Holden, Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino, was taken from the table, and ordered on file.

GENERAL FILE.

Assembly bill No. 56, an Act to authorize A. W. Von Schmidt, and his associates, to lay down gas pipes in the City and County of San Francisco.

Mr. Powers moved to amend the sixth section, line six, by striking out "twenty," and inserting "thirty."

Upon which, the ayes and noes were demanded, by Messrs. Parks, Perkins, and Abell, and taken, with the following result:

AYES—Messrs. Abell, Burnell, Cavis, Clark, Cunningham, Gaskill, Hathaway, Higby, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Perkins, Porter of Contra Costa, Powers, Saxton, Shannon, Van Dyke, Vineyard, and Wallis—22.

NOES—Messrs. Anderson, Baker, Birdseye, Booth, Chamberlain, Doll, Harriman, Harvey, Parks, Porter of Santa Cruz, Shurtleff, and Whiting—12.

Mr. Hathaway moved to strike out "six," and insert "five," in line sixteen, section two.

Upon which, the ayes and noes were demanded, by Messrs. Hathaway, Perkins, and Abell, and taken, with the following result:

AYES—Messrs. Anderson, Doll, Hathaway, Higgins, Holden, Lewis, Shannon, Shurtleff, Vineyard, Wallis, and Whiting—11.

NOES—Messrs. Abell, Baker, Birdseye, Booth, Burnell, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Higby, Kutz, McCullough, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, and Saxton—22.

Mr. Kutz moved to strike out "fifty" in line eight, section one, and insert "thirty."

Upon which, the ayes and noes were demanded, by Messrs. Kutz, McNabb, and Hathaway, and taken, with the following result:

AYES—Messrs. Anderson, Kutz, and Shannon—3.

NOES—Messrs. Abell, Baker, Birdseye, Burnell, Cavis, Chamberlain, Clark, Cunningham, Harriman, Hathaway, Higgins, Holden, McCullough, Pacheco, Parks, Porter of Santa Cruz, Powers, Saxton, Shurtleff, and Vineyard—20.

The bill was then read third time, and passed.

Senate bill No. 235, an Act to provide for the maintenance and supervision of Public Schools—considered engrossed, read third time, and passed, and title amended.

Senate bill No. 215, an Act to provide for the collection of taxes in this State on consigned goods.

Pending consideration, the special order of the day, the motion to reconsider the vote by which Assembly bill No. 32, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one, was indefinitely postponed.

Mr. Burnell moved to indefinitely postpone the motion to reconsider.

Upon which, the ayes and noes were demanded, by Messrs. Parks, Burnell, and Perkins, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Booth, Burnell, Clark, Doll, Harriman, Harvey, Higgins, Holden, Lewis, Pacheco, Parks, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—20.

NOES—Messrs. Birdseye, Cavis, Chamberlain, Cunningham, Gaskill, Higby, Kutz, McNabb, Perkins, Powers, and Saxton—11.

Consideration of Senate bill No. 215 resumed.

Mr. Doll offered the following amendment:

Add to section ten, as follows: "*Provided*, further, that the salaries and expenses to be paid out under this Act shall not in any event exceed twenty-five per cent of the moneys actually collected and paid into the State Treasury under this Act."

Upon which, the ayes and noes were demanded, by Messrs. Doll, Harvey, and Parks, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Clark, Doll, Harriman, Harvey, Hathaway, Higby, McCullough, McNabb, Nixon, Parks, Shurtleff, and Whiting—14.

NOES—Messrs. Baker, Birdseye, Burnell, Cavis, Chamberlain, Cunningham, Gaskill, Holden, Perkins, Porter of Contra Costa, Powers, Shannon, and Wallis—13.

The bill was then ordered engrossed.

Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 18th, 1863. }

MR. PRESIDENT:—The Assembly, on March seventeenth, eighteen hundred and sixty-three, passed Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, on the fourteenth day of March, passed Assembly bill No. 323, an Act to regulate the fees of certain county officers in the County of Siskiyou;

Also, on the seventeenth of March, passed Assembly bill No. 329, an Act to authorize the transfer of moneys in the Treasury of the County of San Joaquin;

Also, March eighteenth, passed Assembly bill No. 320, an Act to authorize the Board of Supervisors of Sonoma County to appropriate money.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 207, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 323, above reported, read first and second times, and referred to the Siskiyou delegation.

Assembly bill No. 329, above reported, read first and second times, and referred to the San Joaquin delegation.

Assembly bill No. 350, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 162, an Act concerning redemption of real estate in certain cases, taken from the table, and read third time.

On its passage, the ayes and noes were demanded, by Messrs, Doll, Booth, and Gaskill, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Cunningham, Harvey, Hathaway, Holden, McCullough, Nixon, Parks, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Vineyard—23.

NOES—Messrs. Doll, Gaskill, Perkins, Wallis, and Whiting—5.

At four o'clock and thirty minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Thursday, March 19th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

• Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 196, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof, having had the same under consideration, report it back, and recommend its passage ;

Also, Senate bill No. 252, an Act to amend an Act to regulate proceed-

ings in civil cases in the Courts of Justice in this State, report the same back, and recommend its passage as amended;

Also, Senate bill No. 149, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and an Act amendatory thereof, approved May eighteenth, eighteen hundred and sixty-one, report the same back, and recommend its indefinite postponement;

Also, Senate bill No. 190, an Act to amend an Act entitled an Act to regulate proceedings in civil actions in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto, report the same back, and recommend its indefinite postponement;

Also, Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof, report the same back, and recommend its passage as amended;

Also, Senate bill No. 249, an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six, report the same back, and recommend that it do not pass.

VAN DYKE, Chairman.

Mr. Burnell, Chairman of the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 209, an Act to provide for the better defence of this State;

Also, Senate bill No. 166, an Act to amend an Act entitled an Act concerning crimes and punishments;

Also, Senate bill No. 169, an Act concerning crimes and punishments;

Also, Senate bill No. 185, an Act to provide for the punishment of persons cutting timber upon or carrying the same when cut down from any of the Swamp and Overflowed, Tide, or Marsh, or School Lands of this State;

Also, Senate bill No. 231, an Act supplementary to An Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

BURNELL, Chairman.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 19, relative to the adjournment of the Legislature sine die on the eighth of April;

Also, Senate bill No. 3, an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty;

Also, Senate bill No. 155, an Act fixing the time for holding the terms of the District Court in Lake County;

And this day, March eighteenth, eighteen hundred and sixty-three, at

twelve o'clock and thirty minutes P. M., delivered the above bills to the Governor for his approval.

HIGGINS, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—Your Committee on Commerce and Navigation have had under consideration Senate bill No. 179, entitled an Act to amend an Act concerning passengers arriving in the ports of this State, and beg leave to report the same back, without recommendation ;

Also, have had under consideration Senate bill No. 74, entitled an Act to authorize the construction of floating dry docks in the Harbor of San Francisco, together with a substitute offered to the committee by the grantees, and beg leave to report the same back, without recommendation.

CLARK, Chairman.

Mr. Wallis made the following report :

MR. PRESIDENT :—The Santa Clara delegation, having had under consideration Assembly bill No. 267, an Act to amend an Act entitled an Act to authorize the funding of the unfunded debt of the City of San José, and to provide for the payment of the same, approved April twenty-first, eighteen hundred and fifty-eight, beg leave to report the same back, and recommend its passage.

WALLIS, for Delegation.

Mr. Higgins made the following report :

MR. PRESIDENT :—The Placer delegation, to whom was referred Assembly bill No. 185, an Act for the better protection of the Treasury of the County of Placer, have had the same under consideration, and report the same back, without amendment, and recommend its passage.

HIGGINS.
HARRIMAN.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 18th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 155, an Act fixing the time for holding the terms of the District Court in Lake County ;

Also, Senate bill No. 3, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

LELAND STANFORD, Governor.

Senate bill No. 74, an Act to authorize the construction of floating dry docks in the Harbor of San Francisco, was made the special order for Wednesday, March twenty-fifth.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,

March 18th, 1863. }

Mr. PRESIDENT :—The House has concurred in Senate amendments to Assembly bill No. 22, an Act granting to F. K. Bechtel and others the right to erect gas works and lay gas pipes for the purpose of supplying the town of Aurora with illuminating gas ;

Also, Assembly bill No. 23, an Act concerning the Independent Order of Good Templars ;

Also, Assembly bill No. 104, an Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto ;

Also, Assembly bill No. 171, an Act to grant the right to J. Waldron Calder and others to lay water pipes for the purpose of supplying the Town of Aurora with pure water ;

Also, Assembly bill No. 186, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 246, an Act to require the County Judge of Colusa County to reside at the county seat ;

The House has also concurred in Senate amendment to section seven of Assembly bill No. 71, an Act to authorize S. Spencer, T. B. Simpson, and their associates, to construct a toll bridge across the Yuba River, at or near Sand Flat, in Yuba County, and refused to concur in Senate amendment to section six of said bill, from which amendment the Senate is requested to recede.

W. N. SLOCUM,

Assistant Clerk.

The Senate refused to recede from their amendment to section six of Assembly bill No. 71, above reported, and Messrs. Parks, Burnell, and Shannon, were appointed on the part of the Senate a Committee of Free Conference on the disagreement, and the Assembly were requested to appoint a like committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Porter of Santa Cruz, for an Act to extend the provisions of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to grant the right of way for the construction of turnpike roads to the County of Monterey.

Read first and second times, and placed on file.

Also, for an Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale.

Read first and second times, and placed on file.

By Mr. Baker, for an Act in relation to the construction of canals, and reclaiming certain Swamp and Overflowed Lands in Tulare County.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Gaskill, for an Act to legalize certain contracts, and to provide for the enforcement thereof.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McNabb, for an Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turn-pike road in the Counties of Sonoma and Mendocino.

Read first and second times, and referred to the Sonoma and Mendocino delegation.

By Mr. Van Dyke, for an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax.

Read first and second times, rules suspended, bill considered engrossed, read third time, and passed.

RESOLUTIONS.

Mr. Parks offered the following resolution :

Resolved, That the Governor be requested to communicate immediately, by telegraph, with the War Department at Washington, and ascertain whether the General Government will not furnish the quota of arms requisite for the defence of this State, on condition that the State will pay freight on the same ; and, further, that the State will purchase and fit out a steam war vessel for the defence of this coast against privateers and pirates.

Mr. Porter of Contra Costa offered the following as a substitute :

Resolved, That the Governor be requested to confer with General Wright, the Commander, and Naval Constructor at Mare Island, and such other officials as may be proper, and communicate to this body what measures are required, and what it is practicable to do, for the protection of the harbors and commerce of our State against the possible attacks of pirates or privateers.

Lost.

Mr. Abell moved to amend so as to read as follows :

Resolved, That the Governor be requested to telegraph to the War Department immediately, to ascertain whether the General Government will furnish to the authorities of this State, for its use, five complete bronze field batteries, to consist, each, of two rifled twelve pounders, two smooth bore six pounders, and two twelve pounder howitzers, together with a number of small arms, accoutrements, and equipments, for infantry and cavalry, not exceeding the value of twenty-nine thousand muskets, with accoutrements, and also such amount of ammunition as may be deemed necessary, or any less amount of the artillery and arms named above.

The amendment was adopted.

On the passage of the resolution, the ayes and noes were demanded, by Messrs. Kutz, Perkins, and Gaskill, and taken, with the following result :

AYES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Burnell, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Hathaway, Holden,

McChlough, Nixon, Parks, Perkins, Porter of Santa Cruz, Powers, and Van Dyke—20.

NOTES.—Messrs. Anderson, Cavis, Doll, Higby, Higgins, Katz, Pacheco, Porter of Contra Costa, Saxton, Shannon, Shurtleff, and Warren—12.

So the resolution was adopted, and ordered transmitted to the Governor immediately.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

March 19th, 1863.

MR. PRESIDENT:—The Assembly, this day, adopted Assembly concurrent resolution No. 36, relative to an address by the State Geologist.

W. N. SLOAN, C. M.

Assistant Clerk.

Assembly concurrent resolution No. 36, above reported, was adopted.

On motion of Mr. Doll, Senate bill No. 216, an Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one, was taken from the table, and on consideration, a substitute was adopted, rules suspended, considered engrossed, read third time, and passed.

REPORT.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT:—Your Committee on Commerce and Navigation have had under consideration Senate bill No. 238, entitled an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco, and beg leave to report the same back, with amendments and recommend its passage as amended.

CLARK, Chairman.

Mr. Atwell introduced a bill for an Act for the preservation of information relating to the history of the State.

Read first and second times, and placed on file.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

March 19th, 1863.

MR. PRESIDENT:—The Assembly on the seventeenth instant passed Senate bill No. 195, an Act to provide a special fund for the construction of the State capital building at the city of Sacramento, with an amendment, in which the Senate is requested to concur.

Also, on the fourteenth of March, passed Senate bill No. 197, an Act explanatory of and supplementary to an Act entitled an Act to provide

revenue for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two;

Also, on the eighteenth of March, passed Assembly bill No. 278, an Act to authorize the County of Butte to purchase and hold sixty-six thousand dollars of the first mortgage bonds of the California Northern Railroad Company, and to issue the bonds of said county for the payment of the same, and for other purposes connected therewith;

Also, on the fourteenth of March, passed Assembly bill No. 290, an Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one, so far as said Act applies to the County of Contra Costa;

Also, on March sixteenth, passed Assembly bill No. 316, an Act to authorize the Board of Supervisors in and for the County of Amador to levy an additional tax for county expenditures in said county;

Also, on same day, passed Assembly bill No. 286, an Act to authorize an appropriation of money for the purpose of paying the funeral expenses, improving the burial grounds, and erecting a monument to the memory of the Honorable Thomas Campbell, deceased, and to create a Board of Trustees to carry out the object of such appropriation;

Also, on same day, passed Assembly bill No. 339, an Act to regulate the fees of certain officers in Solano County.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate bill No. 93, above reported, was taken up.

Mr. Gaskill moved to make the bill the special order for Friday, March twentieth, at twelve o'clock, M.

Upon which, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Wallis, and taken, with the following result:

AYES—MESSRS. Abell, Birdseye, Chamberlain, Clark, Gaskill, Higby, Higgins, McNabb, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Vineyard, and Wallis—13.

NOES—MESSRS. Anderson, Baker, Bogart, Booth, Burnell, Cunningham, Doll, Harriman, Harvey, Holden, Lewis, McCullough, Nixon, Pacheco, Powers, Shannon, Shurtleff, and Van Dyke—18.

Mr. Gaskill moved to strike out the word "five" in the amendment, and insert the word "two."

Upon which, the ayes and noes were demanded, by Messrs. Gaskill, Wallis, and Higgins, and taken, with the following result:

AYES—MESSRS. Birdseye, Cunningham, Gaskill, Higgins, Porter of Santa Cruz, and Wallis—6.

NOES—MESSRS. Abell, Anderson, Baker, Bogart, Booth, Burnell, Cavis, Chamberlain, Clark, Harriman, Harvey, Holden, Lewis, Nixon, Pacheco, Powers, Shannon, Shurtleff, Van Dyke, and Whiting—20.

Mr. Porter of Contra Costa moved to strike out the word "five" in the amendment, and insert the word "three."

Upon which, the ayes and noes were demanded, by Messrs. Gaskill, Wallis, and Perkins, and taken, with the following result:

AYES—Messrs. Birdseye, Clark, Cunningham, Gaskill, Higgins, Kutz, Porter of Contra Costa, Porter of Santa Cruz, and Wallis—9.

NOES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Burnell, Cavis, Chamberlain, Harriman, Harvey, Holden, Lewis, Nixon, Pacheco, Powers, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—20.

Mr. Gaskill moved to strike out the word "five" in the amendment, and insert the word "four."

Mr. Burnell moved the previous question.

Mr. Gaskill then moved a call of the Senate.

On which, the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Abell.

When the name of Mr. Porter of Santa Cruz was called, he asked to explain his vote.

Objection being made, Mr. Porter of Santa Cruz moved that he be allowed to explain his vote.

The Chair, (Mr. Harvey,) decided the motion out of order during the calling of the roll.

Mr. Porter of Santa Cruz, appealed from the decision of the Chair.

The Chair decided that no appeal could be taken during the roll call.

From which decision Mr. Perkins appealed.

The Chair decided the vote on the call of the Senate as follows :

AYES—Messrs. Abell, Birdseye, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Higgins, Kutz, Lewis, and Perkins—11.

NOES—Messrs. Baker, Bogart, Booth, Burnell, Cavis, Doll, Harvey, Holden, Nixon, Pacheco, Powers, Saxton, and Van Dyke—13.

Pending the call of the roll, the Chair directed the Sergeant-at-Arms to preserve order, and to arrest any Senator disturbing the calling of the roll.

Mr. Perkins arose in his place, and objected to the calling of the roll until the question of appeal was determined.

Upon which, he was arrested by the Sergeant-at-Arms, and taken outside the bar of the Senate.

The previous question having been seconded by a vote of eighteen ayes to three noes.

The question being : "Shall the main question be now put?" the roll was called, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Doll, Holden, Kutz, Lewis, Nixon, Pacheco, Parks, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—21.

NOES—Messrs. Abell, Chamberlain, Cunningham, Gaskill, Harriman, Hathaway, Higgins, McNabb, Perkins, Porter of Contra Costa, and Wallis—11.

On motion of Mr. Gaskill to strike out the word "five" and insert "four," the ayes and noes were demanded, by Messrs. Gaskill, Abell, and Wallis, and taken, with the following result :

AYES—Messrs. Cunningham, Gaskill, Hathaway, Higgins, Kutz, Porter of Contra Costa, and Wallis—7.

NOES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Burnell, Cavis, Chamberlain, Doll, Harriman, Holden, Lewis, McNabb, Nixon, Pacheco,

Parks, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—24.

The question being on concurring in the Assembly amendment, the ayes and noes were demanded, by Messrs. Gaskill, Burnell, and Baker, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Burnell, Cavis, Doll, Harriman, Harvey, Holden, Kutz, Lewis, McNabb, Nixon, Pacheco, Parks, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—24.

NOES—Messrs. Abell, Cunningham, Gaskill, Hathaway, Higby, Higgins, Vineyard, and Wallis—8.

Mr. Birdseye gave notice of a motion to reconsider.

At four o'clock and thirty minutes, p. m., on motion of Mr. Lewis, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, March 20th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Journal of yesterday read, amended, and approved.

Mr. Burnell was granted indefinite leave of absence.

Mr. Porter of Contra Costa offered a concurrent resolution concerning General Joseph Hooker.

Adopted.

REPORTS.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 193, an Act concerning roads and highways in the County of Tuolumne, beg leave to report the same back, and recommend its passage.

CAVIS, Chairman.

Assembly bill No. 193, above reported, read third time and passed.

Mr. Perkins, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT :—The Committee on Finance, to whom was referred Senate bill No. 234, an Act fixing the pay for mileage of State, county, and city and county officers, in certain cases, have had the same under consideration, report the bill back, with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 114, an Act to amend an Act to provide revenue for the support of the Government of this State, approved May seven-teenth, eighteen hundred and sixty-one, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, report the same back, and recommend the passage of the bill ;

Also, Senate bill No. 217, an Act respecting the compensation of Inspectors of Stamps residing at the City of San Francisco, and report the same back, without recommendation.

PERKINS, Chairman.

Senate bill No. 234, above reported, considered in Committee of the Whole, amended, ordered to top of file for Tuesday next, March twenty-fourth, and ordered printed.

GENERAL FILE.

Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 52, an Act to amend an Act making certificates of purchase, or of location, evidence of title, approved April thirteenth, eighteen hundred and fifty-nine—read third time, and passed.

Senate bill No. 231, an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 209, an Act to provide for the better defence of this State—made special order for Tuesday, March twenty-fourth, at one o'clock, P. M.

Senate bill No. 226, an Act to provide for the support of the Government of this State—reported back by Mr. Doll of the Finance Committee, without recommendation, and made the special order for Saturday, March twenty-first, at two o'clock, P. M.

Mr. Saxton, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 246, an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto ;

Also, Senate bill No. 32, an Act dividing the State into Judicial Districts.

SAXTON, for Committee.

Mr. Parks moved to reconsider the vote by which the Journal of yesterday was approved.

On which, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Wallis, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Cavis, Clark, Cunningham, Doll, Holden, McCullough, Parks, Saxton, Shannon, Shurtleff, Van Dyke, and Vineyard—17.

NOES—Messrs. Birdseye, Chamberlain, Gaskill, Harriman, Hathaway, Higby, Kutz, Lewis, Pacheco, Perkins, Porter of Santa Cruz, Powers, Wallis, and Whiting—14.

Mr. Parks offered the following amendment to the Journal : line eight, page two hundred and ninety-four, after the word “ appealed,” insert :

“ The Senator from San Francisco, Mr. Perkins, refusing to obey the order of the Chair, the President ordered the Sergeant-at-Arms to arrest Senator Perkins, of San Francisco.”

Mr. Bidseye offered the following substitute for Mr. Parks' amendment :

“ The President pro tem did on two occasions order the Sergeant-at-Arms to arrest the Senator from San Francisco, Hon. Mr. Perkins ; such orders were in a low tone, and were not distinctly heard upon the floor of the Senate at the distance where Mr. Perkins stood. The Sergeant-at-Arms did not proceed to execute such order. Afterwards the President pro tem, in an audible voice, did order the Sergeant-at-Arms to arrest any persons creating disorder, without particularizing any person, and then the Sergeant-at-Arms did arrest Mr. Perkins.”

Upon the adoption of the substitute, the ayes and noes were demanded, by Messrs. Gaskill, Birdseye, and Perkins.

Previous to the call of the roll, the substitute was withdrawn.

Mr. Birdseye offered the following amendment to Mr. Parks' amendment :

“ The Sergeant-at-Arms did not proceed to execute such order ; afterwards the President pro tem, in an audible voice, did order the Sergeant-at-Arms to arrest any persons creating disorder, without particularizing any person ; then the Sergeant-at-Arms did arrest Mr. Perkins.”

Upon the adoption of the amendment to the amendment, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Parks, and taken, with the following result :

AYES—Messrs. Birdseye, Gaskill, Harriman, Hathaway, and Perkins—5.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Cunningham, Doll, Higby, Holden, Nixon, Pacheco, Parks, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—20.

Mr. Wallis moved to amend the amendment of Mr. Parks, so as to read as follows :

“ The Senator from San Francisco, Mr. Perkins, refusing to obey the order of the Chair, when the presiding officer, Senator Harvey, made the following order : ‘ The Sergeant-at-Arms will arrest Senator Perkins.’ ”

Mr. Parks accepted the amendment.

Upon the adoption of the amendment, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Parks, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Cunningham, Holden, Nixon, Parks, Saxton, Shannon, Shurtleff, Van Dyke, and Wallis—14.

NOES—Messrs. Birdseye, Chamberlain, Gaskill, Harriman, Hathaway, Higby, Kutz, Pacheco, Perkins, Powers, and Whiting—11.

Mr. Gaskill moved to amend the Journal as follows :

Strike out from the word “determined” on the fourteenth line, to the word “Senate” on the fifteenth line, two hundred and ninety-fourth page, and insert as follows : “And in pursuance of the last order, the Sergeant-at-Arms arrested Mr. Perkins.”

Upon the adoption of the amendment, the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Kutz, and taken, with the following result :

AYES—Messrs. Birdseye, Gaskill, Harriman, Hathaway, Kutz, Perkins, and Porter of Santa Cruz—7.

NOES—Messrs. Baker, Bogart, Booth, Chamberlain, Cunningham, Holden, Nixon, Pacheco, Parks, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—16.

Mr. Doll moved that the Journal of yesterday be now approved.

Mr. Porter of Santa Cruz offered the following amendment to the Journal :

Amend by adding at the end of the twentieth line, page two hundred and ninety-four, “During the call of the roll, Mr. Porter of Santa Cruz declined voting, on the ground that the ruling of the Chair was unparliamentary, unfair, and unjust.”

Mr. Booth moved the previous question.

Seconded by a majority of all the Senators present.

Upon the question, “Shall the main question be now put?” the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Birdseye, and taken, with the following result :

AYES—Messrs. Anderson, Bogart, Booth, Cunningham, Doll, Harriman, Harvey, Hathaway, Holden, Nixon, Pacheco, Parks, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, and Van Dyke—18.

NOES—Messrs. Baker, Birdseye, Gaskill, Perkins, Porter of Santa Cruz, and Wallis—6.

Upon the adoption of the amendment offered by Mr. Porter of Santa Cruz, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Birdseye, and taken, with the following result :

AYES—Messrs. Gaskill, Porter of Santa Cruz, and Wallis—3.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Chamberlain, Cun-

ningham, Doll, Harriman, Hathaway, Holden, Nixon, Pacheco, Parks, Perkins, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—21.

Upon the question of approving the Journal of yesterday as amended, the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Shannon, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Booth, Cunningham, Doll, Harvey, Holden, Nixon, Parks, Powers, Saxton, Shannon, Shurtleff, and Van Dyke—15.

NOES—Messrs. Birdseye, Cavis, Chamberlain, Gaskill, Harriman, Hathaway, Pacheco, Perkins, Porter of Santa Cruz, Vineyard, Wallis, and Whiting—12.

Previous to the announcement of the vote, Mr. Gaskill objected to the receiving of the vote of the Senator from Sacramento, Mr. Nixon, and the vote of the Senator from Sutter, Mr. Parks, on the ground that they were personally interested in the result.

Mr. Birdseye moved to reconsider the vote by which the Senate, on yesterday, concurred in Assembly amendment to Senate bill No. 93, an Act to provide a special Fund for the construction of the State Capitol in the City of Sacramento.

Mr. Parks moved the previous question.

Duly seconded and carried.

Upon the question of reconsideration, the ayes and noes were demanded, by Messrs. Gaskill, Shurtleff, and Nixon, and taken, with the following result:

AYES—Messrs. Birdseye, Clark, Cunningham, Gaskill, Hathaway, Higgins, Porter of Contra Costa, Porter of Santa Cruz, and Wallis—9.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Chamberlain, Doll, Harriman, Harvey, Holden, Nixon, Oulton, Pacheco, Parks, Powers, Quint, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—22.

During the call of the roll, Mr. Perkins moved that he be allowed to explain his vote.

The Chair decided the motion out of order.

Mr. Perkins appealed.

The Chair refused to entertain the appeal until the roll had been called.

At six o'clock, P. M., on motion of Mr. Shurtleff, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, March 21st, 1863. }

Senate met pursuant to adjournment.
President in the Chair.
Roll called.
Quorum present.
Prayer by Reverend Mr. Hill.
Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 195, an Act to secure the payment of the indebtedness of the County of Contra Costa, having had the same under consideration, report it back, without recommendation ;

Also, Assembly bill No. 96, an Act to ratify and confirm a certain ordinance passed by the Common Council of the City of Oakland, and approved by the Mayor of said city November twentieth, eighteen hundred and sixty-one, report the same back, and recommend it be referred to the Alameda delegation.

Also, Assembly bill No. 283, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty, report the same back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Hathaway made a verbal report, recommending the passage of the substitute for Senate bill No. 100, an Act in relation to the Exempt Fire Company of San Francisco.

Substitute above reported, adopted, considered engrossed, read third time, and passed, and Forty-Fifth Rule suspended.

Mr. Parks made the following report :

MR. PRESIDENT :—The Committee of Free Conference on the disagreeing vote of the two Houses on Assembly Bill No. 71, an Act to authorize certain parties to construct a toll bridge across Yuba River, have had the same under consideration, and beg leave to make the following report :

Amend section five by striking out all after the word "*Provided*" and insert "such rates of toll shall not be fixed so as to yield an annual income of less than fifteen per cent on the cost of constructing said bridge ; and, *provided*, further, that nothing in this Act shall be so construed as to exempt said company from paying the same licenses as do other toll bridges."

PARKS,
For Senate Committee.
SMITH of Sierra,
For Assembly Committee.

Adopted.

On motion of Mr. Porter of Santa Cruz, the consideration of the General File was postponed for five minutes, and Assembly bill No. 290, an Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one, so far as said Act applies to the County of Contra Costa, was taken from the Assembly Messages and considered, read first and second times, rules suspended, read third time, and passed.

On motion of Mr. Whiting, the consideration of the General File was again postponed for five minutes, and Assembly bill No. 204, an Act to repeal a portion of an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 116, an Act supplementary to an Act to provide for street railroads within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to an Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 159, an Act supplementary to and amendatory of an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, read first and second times, rules suspended, read third time, and passed.

On motion of Mr. Parks, Assembly Messages were taken up, as follows:

ASSEMBLY CHAMBER,
March 19th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Senate bill No. 213, an Act to authorize the Guardian of certain minor children to convey their real estate;

Also, passed Senate bill No. 47, an Act to prevent the use of phosphorus for poisoning vermin or any animals in certain counties of this State, between the first of March and the first of September in each year;

Also, amended and passed Senate bill No. 144, an Act to amend an Act entitled an Act to grant to H. J. May, Charles M. Baxter, William Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two;

Also, amended and passed Senate bill No. 248, an Act to amend an Act to authorize the Board of Supervisors of Amador County to levy a special tax and create a Redemption Fund for the payment of outstanding Road Warrants in said county, approved May thirteenth, eighteen hundred and fifty-three;

Also, passed Senate bill No. 221, an Act granting to parties therein named the right to construct a wagon road from Cloverdale, in Sonoma County, to the McDonald House, in Mendocino County, and to collect tolls for travelling thereon;

Also, passed Assembly bill No. 374, an Act to authorize the Common

Council of the City of Placerville to issue certain bonds for the relief of the Fire Department of said city;

Also, on the eighteenth of March, passed Senate bill No. 122, an Act providing for the time of holding Court in the Sixteenth Judicial District;

Also, concurred in Senate amendments to Assembly bill No. 162, an Act concerning the redemption of real estate in certain cases;

Also, concurred in Senate amendments to Assembly bill No. 74, an Act concerning roads and highways in the County of Shasta;

Also, reconsidered the vote concurring in Senate amendments to Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and sixty-two, and refused to concur therein.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
March 20th, 1863. }

MR. PRESIDENT:—The House, this day, passed Assembly bill No. 116, an Act supplementary to an Act to provide for street railroads within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to an Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one;

Also, this day, passed Assembly bill No. 214, an Act to repeal a portion of an Act entitled an Act to provide for a railroad in the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one;

Also, this day, passed Assembly bill No. 159, an Act supplementary to and amendatory of an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, this day, refused to concur in Senate amendments to Assembly bill No. 56, an Act to authorize A. W. Von Schmidt and his associates to lay down gas pipes in the City and County of San Francisco.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
March 20th, 1863. }

MR. PRESIDENT:—The Assembly, this day, appointed Messrs. Smith of Sierra, Adkison, and Allen, a Committee of Free Conference, on the part of the House, to confer with Messrs. Parks, Burnell, and Shannon, on the part of the Senate, on the disagreeing vote of the two Houses on Senate amendments to Assembly bill No. 71, an Act to authorize S. Spencer, T. B. Simpson, and their associates, to construct a toll bridge across the Yuba River, at or near Sand Flat, in Yuba County;

Also, this day, amended and passed Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May second, eighteen hundred and sixty-two;

Also, this day, passed Assembly bill No. 356, an Act to allow James E. Nuttman, Marcus Hanlon, and their associates or assigns, to construct and maintain a toll road in the County of San Mateo;

Also, on the sixteenth of March, passed Assembly bill No. 184, an Act to amend an Act entitled an Act concerning the construction and repairs of levees in the County of Sacramento, and the mode of raising revenue therefor;

Also, Assembly bill No. 215, an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County;

Also, Assembly bill No. 252, an Act authorizing John W. Sharp, and his associates, to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the lower Stockton road, near Benson's Ferry, in the County of Sacramento.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

March 21st, 1863. }

Mr. PRESIDENT:—The Assembly, this day, appointed Messrs. Ames, Sutton, and Orr, a Committee of Free Conference on the disagreeing vote of the two Houses on Assembly bill No. 56, the Von Schmidt gas bill.

H. G. WORTHINGTON,

Clerk of Assembly.

ASSEMBLY CHAMBER,

March 21st, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 180, an Act to authorize married women to execute powers of attorney;

Also, passed Assembly bill No. 268, an Act to authorize the issuance of School Land Warrants to Mary Ann Lee;

Also, adopted, with an amendment, to which the concurrence of the Senate is requested, Senate concurrent resolution No. 21, relative to General Joseph Hooker;

Also, passed Assembly bill No. 199, an Act for the relief of Martin Winslow.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 339, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 215, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 286, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 184, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 252, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 278, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 268, above reported, read first and second times, and referred to the Committee on Public Lands.

Assembly bill No. 75, above reported, Senate refused to recede from

its amendments, and Messrs. Parks, Oulton, and Saxton, were appointed a Committee of Free Conference on the disagreement.

Assembly bill No. 374, above reported, read first and second times, and referred to the El Dorado delegation.

Assembly bill No. 316, above reported, read first and second times, and referred to the Amador delegation.

Assembly bill No. 199, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 356, above reported, read first and second times, and placed on file.

Assembly bill No. 180, above reported, read first and second times, and referred to the Judiciary Committee.

Senate concurrent resolution No. 24, above reported, relative to General Joseph Hooker, the Senate refused to concur in the Assembly amendments.

Senate bill No. 39, above reported, Senate concurred in Assembly amendment.

Mr. Porter of Santa Cruz gave notice of a motion to reconsider the vote by which the Senate concurred in the amendment.

Senate bill No. 144, above reported, the Senate concurred in the Assembly amendments.

Senate bill No. 248, above reported, the Senate concurred in the Assembly amendments.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Gaskill, for an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas.

Read first and second times, rules suspended, amended, considered engrossed, read third time, and passed.

By Mr. Clark, for an Act to protect purchasers of real estate from the unlawful acts of married women.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Booth, for an Act to authorize the Administrator of the estate of Fanny E. Gillespie, deceased, to sell and convey real estate.

Read first and second times, and placed on file.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Tide, and Salt Marsh Lands ;

Also, Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in San Luis Obispo County ;

Also, Senate bill No. 85, an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one ;

Also, Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of this State, passed February twentieth, eighteen hundred and fifty-seven ;

Also, Senate bill No. 120, an Act authorizing the Board of Supervisors for Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Anna, Eagle, and Marble Mines Road ;

Also, Senate bill No. 156, an Act to amend an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said county, approved February twenty-seventh, eighteen hundred and sixty-two ;

Also, Senate bill No. 163, an Act to change the name of Victor Desere to William Henry Roberts ;

Also, Senate bill No. 168, an Act granting the right to construct and maintain a bridge across the American River, near Rattlesnake Bar, in the Counties of Placer and El Dorado.

And this day, March twenty-first, A. D. eighteen hundred and sixty-three, at twelve o'clock and fifteen minutes, p. m., the above bills were delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Booth made a verbal report from the Sacramento delegation, recommending the passage of the substitute to Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes.

Substitute adopted, rules suspended, considered engrossed, read third time, and passed, and the Forty-Fifth Rule suspended.

On motion of Mr. Hathaway, Senate bill No. 146, and its amendment, were ordered to top of file for Tuesday, March twenty-fourth, and the usual number of copies of the amendment were ordered printed.

GENERAL FILE.

Assembly bill No. 356, an Act to allow J. E. Nuttman and others to construct and maintain a toll road in the County of San Mateo—read third time, and passed.

Senate bill No. 32, an Act dividing the State into Judicial Districts—read third time, and passed.

Assembly bill No. 65, an Act to regulate the fees of the County Clerk of El Dorado County, in civil cases—read third time, and passed.

Senate bill No. 253, an Act to authorize Edward Gallagher, James Gallagher, E. A. Poole, and their associates and assigns, to lay down water pipes in the Town of Aurora, County of Mono—read third time, and passed.

Assembly bill No. 267, an Act to amend an Act entitled an Act to authorize the funding of the unfunded debt of the City of San José, and to provide for the payment of the same, approved April twenty-first, eighteen hundred and fifty-eight—read third time, and passed.

Assembly bill No. 185, an Act for the better protection of the Treasury of the County of Placer—read third time, and passed.

Senate bill No. 97, an Act to establish an Agricultural and Mechanical Arts College in Napa County—ordered to top of file for Wednesday, March twenty-fifth.

Senate concurrent resolution, No. 9, relative to Mechanical and Agricultural Art College—ordered to top of file for Wednesday, March twenty-fifth.

Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen

hundred and fifty, and the several Acts amendatory thereof and supplemental thereto—ordered to top of file for Wednesday, March twenty-fifth.

Assembly concurrent resolution No. 34, concerning the establishment of an Agricultural College—ordered to top of file for Wednesday, March twenty-fifth.

The resolutions in regard to the seat now held by Mr. Quint, were made the special order for Tuesday, March twenty-fourth, at two o'clock, P. M.

Senate bill No. 247—returned to file.

Senate bill No. 264—returned to file.

Assembly bill No. 60—returned to file.

Senate bill No. 229, an Act to authorize the issuance of a duplicate School Land warrant to Henry W. Peck—re-committed to the Committee on Public Lands.

Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 114, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—indefinitely postponed.

Senate bill No. 249, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six—indefinitely postponed.

SPECIAL ORDER.

The hour having arrived for the special order, Senate bill No. 226, an Act to provide for the support of the government of this State—was taken up, substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Mr. Parks gave notice of a motion of re-consideration.

GENERAL FILE RESUMED.

Senate bill No. 217, an Act respecting the compensation of Inspectors of Stamps residing at the City of San Francisco—ordered to top of file for Tuesday, March twenty-fourth.

Senate bill No. 270, an Act for the preservation of information relating to the history of this State—ordered to top of file for Tuesday, March twenty-fourth.

Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five—amended, ordered engrossed, and read third time.

Senate bill No. 265, an Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 241, an Act appropriating money to pay the claim of H. C. Stockton—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 252, an Act to amend an Act to regulate proceedings in

civil cases in the Courts of Justice in this State—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 245, an Act for the improvement of horses and cattle—read third time, and passed.

Mr. Doll gave notice of a motion to reconsider the passage of Senate bill No. 273.

Mr. Holden reported verbally on Senate bill No. 229, recommending its passage as amended.

Senate bill No. 229, above reported, an Act to authorize the issuance of a duplicate School Land Warrant to Henry W. Peck, was amended, rules suspended, considered engrossed, read third time, and passed.

REPORTS.

Mr. Saxton, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 215, an Act to provide for the collection of taxes due this State on consigned goods.

SAXTON, for Committee.

Mr. Saxton, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 216, an Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May sixteenth, eighteen hundred and sixty-one ;

Also, Senate bill No. 260, an Act supplemental to an Act entitled an Act for the construction of a wagon road by the Board of Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three ;

Also, Senate bill No. 219, an Act amendatory of and supplemental to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same.

SAXTON, for Committee.

JOINT RESOLUTION DECLARATORY OF THE ADOPTION OF THE AMENDMENTS TO THE CONSTITUTION PROPOSED BY THE LEGISLATURE AT ITS TWELFTH SESSION.

Assembly joint resolution No. 1, as follows, was adopted :

WHEREAS, The Legislature of this State, at the twelfth session, proposed certain Amendments to the Constitution of the State, which were agreed to by a majority of the members elected to each of the two Houses, and entered on their Journals, with the ayes and noes taken thereon, and referred to the Legislature then next to be chosen ; and,

WHEREAS, further, In the Legislature next chosen, at the thirteenth

session thereof, said proposed Amendments were agreed to by a majority of all the members elected to each House, and submitted by said Legislature to the people of the State for their approval and ratification, at the general election held in the year one thousand eight hundred and sixty-two, at which election the people approved and ratified said proposed Amendments, by a majority vote of the electors qualified to vote for the members of the Legislature voting thereon; therefore,

Resolved. By the Senate and Assembly, that the following are the said Amendments:

ARTICLE FOUR.—LEGISLATIVE DEPARTMENT.

SEC. 2. The sessions of the Legislature shall be biennial, and shall commence on the first Monday of December next ensuing the election of its members, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation. No session shall continue longer than one hundred and twenty days.

SEC. 3. The members of the Assembly shall be chosen biennially, by the qualified electors of their respective districts, on the first Wednesday in September, unless otherwise ordered by the Legislature, and their term of office shall be two years.

SEC. 5. Senators shall be chosen for the term of four years, at the same time and places as members of the Assembly; and no person shall be a member of the Senate or Assembly, who has not been a citizen and inhabitant of the State, and of the county or district for which he shall be chosen, one year next before his election.

SEC. 6. The number of Senators shall not be less than one third, nor more than one half, of that of the members of the Assembly; and at the first session of the Legislature after this section takes effect, the Senators shall be divided by lot, as equally as may be, into two classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, so that one half shall be chosen biennially.

SEC. 30. When a Congressional, Senatorial, or Assembly District shall be composed of two or more counties, it shall not be separated by any county belonging to another District. No county shall be divided in forming a Congressional, Senatorial, or Assembly District, so as to attach one portion of a county to another county; but the Legislature may divide each county into as many Congressional, Senatorial, or Assembly Districts, as such county may by apportionment be entitled to.

SEC. 39. In order that no inconvenience may result to the public service from the taking effect of the Amendments proposed to Article Four by the Legislature of eighteen hundred and sixty-one, no officer shall be suspended or superseded thereby, until the election and qualification of the several officers provided for in said Amendments.

ARTICLE FIVE.—EXECUTIVE DEPARTMENT.

SEC. 2. The Governor shall be elected by the qualified electors at the time and places of voting for members of the Assembly, and shall hold his office four years from and after the first Monday in December subsequent to his election, and until his successor is elected and qualified.

SEC. 18. A Secretary of State, a Controller, a Treasurer, an Attorney-General, and a Surveyor-General, shall be elected at the same time and places, and in the same manner, as the Governor and Lieutenant-Governor, and whose term of office shall be the same as the Governor.

SEC. 19. The Secretary of State shall keep a fair record of the official acts of the Legislative and Executive Departments of the Government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as may be assigned him by law; and in order that no inconvenience may result to the public service from the taking effect of the Amendments proposed to said Article Five by the Legislature of eighteen hundred and sixty-one, no officer shall be superseded or suspended thereby, until the election and qualification of the several officers provided for in said Amendments.

ARTICLE SIX.—JUDICIAL DEPARTMENT.

SEC. 1. The Judicial power of this State shall be vested in a Supreme Court, in District Courts, in County Courts, in Probate Courts, and in Justices of the Peace, and in such Recorders' and other inferior Courts as the Legislature may establish in any incorporated city or town.

SEC. 2. The Supreme Court shall consist of a Chief Justice and four Associate Justices. The presence of three Justices shall be necessary for the transaction of business, excepting such business as may be done at Chambers, and the concurrence of three Justices shall be necessary to pronounce a judgment.

SEC. 3. The Justices of the Supreme Court shall be elected by the qualified electors of the State, at special elections to be provided by law, at which elections no officer other than judicial shall be elected, except a Superintendent of Public Instruction. The first election for Justices of the Supreme Court shall be held in the year eighteen hundred and sixty-three. The Justices shall hold their offices for the term of ten years from the first day of January next after their election, except those elected at the first election, who, at their first meeting, shall so classify themselves by lot, that one Justice shall go out of office every two years. The Justice having the shortest term to serve shall be the Chief Justice.

SEC. 4. The Supreme Court shall have appellate jurisdiction in all cases in equity; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars; also, in all cases arising in the Probate Courts; and also, in all criminal cases amounting to felony, on questions of law alone. The Court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and also, all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition on behalf of any person held in actual custody, and may make such writs returnable before himself, or the Supreme Court, or before any District Court, or any County Court, in the State, or before any Judge of said Courts.

SEC. 5. The State shall be divided, by the Legislature of eighteen hundred and sixty-three, into fourteen Judicial Districts, subject to such alteration, from time to time, by a two thirds vote of all the members elected to both Houses, as the public good may require; in each of which there shall be a District Court, and for each of which a District Judge shall be elected by the qualified electors of the District, at the special judicial elections to be held as provided for the election of Jus-

tices of the Supreme Court by section three of this Article. The District Judges shall hold their offices for the term of six years from the first day of January next after their election. The Legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the State for upwards of thirty consecutive days, shall be deemed to have forfeited his office.

SEC. 6. The District Courts shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars; and also, in all criminal cases not otherwise provided for. The District Courts and their Judges shall have power to issue writs of habeas corpus, on petition by or on behalf of any person held in actual custody in their respective Districts.

SEC. 7. There shall be, in each of the organized counties of the State, a County Court, for each of which a County Judge shall be elected by the qualified electors of the county, at the special judicial elections to be held as provided for the election of Justices of the Supreme Court, by section three of this Article. The County Judges shall hold their offices for the term of four years from the first day of January next after their election. Said Courts shall also have power to issue naturalization papers. In the City and County of San Francisco, the Legislature may separate the office of Probate Judge from that of County Judge, and may provide for the election of a Probate Judge, who shall hold his office for the term of four years.

SEC. 8. The County Courts shall have original jurisdiction of actions of forcible entry and detainer, of proceedings in insolvency, of actions to prevent or abate a nuisance, and of all such special cases and proceedings as are not otherwise provided for, and also such criminal jurisdiction as the Legislature may prescribe; they shall also have appellate jurisdiction in all cases arising in Courts held by Justices of the Peace, and Recorders, and in such inferior Courts as may be established in pursuance of section one of this Article, in their respective counties. The County Judges shall also hold, in their several counties, Probate Courts, and perform such duties as Probate Judges as may be prescribed by law. The County Courts and their Judges shall also have power to issue writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties.

SEC. 9. The Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and fix by law their powers, duties, and responsibilities; *provided*, such powers shall not in any case trench upon the jurisdiction of the several Courts of record. The Supreme Court, the District Courts, the County Courts, the Probate Courts, and such other Courts as the Legislature shall prescribe, shall be Courts of record.

SEC. 10. The Legislature shall fix by law the jurisdiction of any Recorder's or other inferior municipal Court which may be established in pursuance of section one of this Article, and shall fix by law the powers, duties, and responsibilities of the Judges thereof.

SEC. 11. The Legislature shall provide for the election of a Clerk of the Supreme Court, County Clerks, District Attorneys, Sheriffs, and other necessary officers, and shall fix by law their duties and compensation. County Clerks shall be ex officio Clerks of the Courts of record in and for their respective counties. The Legislature may also provide

for the appointment by the several District Courts of one or more Commissioners in the several counties of their respective Districts, with authority to perform Chamber business of the Judges of the District Courts and County Courts, and also to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

SEC. 12. The times and places of holding the terms of the several Courts of record shall be provided for by law.

SEC. 13. No judicial officer, except Justices of the Peace, Recorders, and Commissioners, shall receive to his own use any fees or perquisites of office.

SEC. 14. The Legislature shall provide for the speedy publication of such opinions of the Supreme Court as it may deem expedient; and all opinions shall be free for publication by any person.

SEC. 15. The Justices of the Supreme Court, District Judges, and County Judges, shall severally, at stated times during their continuance in office, receive for their services a compensation, which shall not be increased or diminished during the term for which they shall have been elected; *provided*, that County Judges shall be paid out of the County Treasury of their respective counties.

SEC. 16. The Justices of the Supreme Court, and the District Judges, and the County Judges, shall be ineligible to any other office than a judicial office during the term for which they shall have been elected.

SEC. 17. Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

SEC. 18. The style of all process shall be "The People of the State of California," and all prosecutions shall be conducted in their name, and by their authority.

SEC. 19. In order that no inconvenience may result to the public service from the taking effect of the Amendments proposed to said Article Six by the Legislature of eighteen hundred and sixty-one, no officer shall be superseded thereby, nor shall the organization of the several Courts be changed thereby, until the election and qualification of the several officers provided for in said Amendments.

ARTICLE NINE—EDUCATION.

SEC. 1. A Superintendent of Public Instruction shall, at the special election for judicial officers to be held in the year eighteen hundred and sixty-three, and every four years thereafter at such special elections, be elected by the qualified voters of the State, and shall enter upon the duties of his office on the first day of December next after his election.

And that the same have been constitutionally adopted, and have become a part of the Constitution, to take effect as provided in said Amendments.

GENERAL FILE RESUMED.

Senate bill No. 237, an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-fourth, eighteen hundred and fifty-eight—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 207, an Act appropriating money to pay the claim of the San Francisco Gas Company—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 242, an Act appropriating money to pay certain claims—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 262, an Act to incorporate the City of Sacramento—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 257, an Act amendatory of and supplementary to an Act entitled an Act for the education of the indigent Deaf, Dumb, and Blind, in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one—amended, and ordered to top of the file for Tuesday, March twenty-fourth, eighteen hundred and sixty-three.

At four o'clock and forty minutes, P. M., on motion of Mr. Bogart, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Monday, March 23d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Journal of Saturday last read and approved.

Mr. Pacheco moved to reconsider the vote by which the Senate, on Saturday, passed Assembly bill No. 245, an Act for the improvement of horses and cattle.

Carried.

Mr. Pacheco moved to indefinitely postpone the bill.

Upon which, the ayes and noes were demanded, by Messrs. Powers, Bogart, and Holden, and taken, with the following result:

AYES—Messrs. Anderson, Booth, Cavis, Cunningham, Harriman, Harvey, Higby, Kutz, McCullough, Pacheco, Parks, Porter of Contra Costa, Porter of Santa Cruz, Saxton, and Van Dyke—15.

NOES—Messrs. Baker, Bogart, Chamberlain, Gaskill, Holden, Nixon, Oulton, Powers, Quint, Shurtleff, Wallis, and Whiting—12.

Mr. Parks moved to reconsider the vote by which the Senate, on Saturday, passed Senate bill No. 226, an Act to provide for the support of the Government of the State.

Lost.

Mr. Doll moved to reconsider the vote by which the Senate, on Saturday last, passed Senate bill No. 273, an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas.

Carried, and bill recommitted to delegations from Butte, Plumas, and Tehama.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 144, an Act to amend an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty ;

Also, Senate bill No. 233, an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, and an Act amendatory thereof, passed April twenty-sixth, eighteen hundred and sixty-two, having had the same under consideration, report them back, and recommend they be referred to the Committee on Public Morals.

VAN DYKE, Chairman.

Bills so referred.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred Senate bill No. 255, an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two, ask leave to report the same back, with a verbal amendment to section four, and recommend that the bill pass as amended.

PORTER of Contra Costa, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT:—Your Committee on Commerce and Navigation have had under consideration Senate bill No. 201, an Act to authorize the construction and maintenance of a wharf in the County of Contra Costa, and beg leave to report the same back, with the recommendation that it pass ;

Also, Senate bill No. 243, an Act to authorize William Kohl and his associates to establish and maintain a steam ferry, and beg leave to say that the same has been in the hands of the committee for some time, and no person having appeared to explain it, or to advocate its passage, and, further, because the privileges asked for are indefinite, and seem at least to imply the granting of franchises to construct and maintain wharves wherever the parties may choose to run their ferry boats, therefore, your committee recommend that it be indefinitely postponed ;

Also, Assembly bill No. 169, an Act to amend an Act entitled an Act to establish Pilots and Pilot regulations for the Port of San Francisco, approved May twentieth, eighteen hundred and sixty-one, and report the same back, with an amendment, and recommend its passage as amended.

CLARK, Chairman.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

Mr. PRESIDENT:—The Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 266, an Act in relation to the construction of canals, and for draining and reclaiming certain Swamp and Overflowed Lands in Tulare Valley, have had the same under consideration, and report the same back, without amendment, and recommend its passage.

HARVEY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 21st, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 76, an Act to grant the right to construct a turnpike road from Doshe's store, in Ione Valley, to the Town of Jackson, in the County of Amador;

Also, Senate substitute for Assembly bill No. 19, an Act to amend an Act entitled an Act concerning District Attorneys, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 106, an Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight;

Also, Senate bill No. 17, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, }
March 21st, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 386, an Act to change the name of Cincinnati Schultz to Willard John Brown;

Also, Assembly bill No. 303, an Act concerning records of fees and duties of certain officers in the County of Solano;

Also, Assembly bill No. 369, an Act to amend an Act in relation to public roads in the County of Amador, and to the Road Fund of said county, approved March thirteenth, eighteen hundred and sixty-two;

Also, Assembly bill No. 317, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and Antelope Springs, in Amador County;

Also, Assembly bill No. 378, an Act concerning hogs running at large in the County of Contra Costa;

Also, Assembly bill No. 88, an Act to define the boundary line between the Counties of Amador and El Dorado;

Also, Senate bill No. 235, an Act to provide for the maintenance and supervision of Public Schools, and sundry amendments to the bill and title, in which the concurrence of the Senate is respectfully asked;

Also, on March twentieth, passed Assembly bill No. 381, an Act fixing the mileage of the several County Treasurers of this State;

Also, same day, passed Senate substitute for Senate bill No. 100, an Act in relation to the Exempt Fire Company of the City and County of San Francisco;

Also, passed Senate bill No. 164, an Act to incorporate the Town of San Luis Obispo;

Also, passed Senate bill No. 109, an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin River, in Fresno County;

Also, passed Senate bill No. 172, an Act to provide for the construction of a wagon road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State;

Also, on March twenty-first, passed Assembly bill No. 341, an Act to amend an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight;

Also, same day, passed Assembly bill No. 235, an Act to establish a Female Department of the County Jail of the City and County of San Francisco.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 378, above reported, read first and second times, and referred to the Contra Costa delegation.

Assembly bill No. 317, above reported, read first and second times, and referred to the Amador delegation.

Assembly bill No. 369, above reported, read first and second times, and referred to the Amador delegation.

Assembly bill No. 303, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 386, above reported, read first and second times, and placed on file.

Assembly bill No. 381, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 341, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly amendment to Senate bill No. 109, above reported, concurred in.

Senate bill No. 235, above reported, placed at top of file for Tuesday, March twenty-fourth.

Assembly bill No. 235, above reported, read first and second times, and placed on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Higby, for an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras.

Read first and second times, and referred to the Calaveras delegation.

By Mr. Wallis, for an Act to amend an Act entitled an Act concerning Judges of the Plains, (Jueces del Campo,) and defining their duties, passed April twenty-fifth, eighteen hundred and fifty-one.

Read first and second times, and placed on file.

Mr. Whiting, pursuant to notice, moved to reconsider the vote by which the Senate concurred in Assembly amendments to Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May second, eighteen hundred and sixty-two.

Carried.

The bill was referred to Messrs. Harriman, Lewis, and Shurtleff.

Messrs. Harriman, Lewis, and Shurtleff, were appointed, on the part of the Senate, a Committee of Conference on the disagreement between the two Houses on Assembly bill No. 56, an Act to authorize A. W. Von Schmidt, and his associates, to lay down gas pipes in the City and County of San Francisco.

GENERAL FILE.

Senate bill No. 215, an Act to provide for the collection of taxes due this State on consigned goods.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Chamberlain, Gaskill, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Booth, Cavis, Chamberlain, Cunningham, Doll, Gaskill, Holden, Kutz, McCullough, Nixon, Oulton, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Wallis—19.

NOES—Messrs. Clark, Harriman, Parks, and Whiting—4. •

Senate bill No. 149, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-seventh, eighteen hundred and fifty-one, and an Act amendatory thereof, approved May eighteenth, eighteen hundred and sixty-one—indefinitely postponed.

Senate bill No. 190, an Act to amend an Act entitled an Act to regulate proceedings in civil actions in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto—indefinitely postponed.

Senate bill No. 196—returned to the file.

Senate bill No. 179—returned to the file.

Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof—amended, ordered engrossed, and read third time.

Assembly bill No. 239, an Act to grant the right to construct a bridge across the Stanislaus River, at a place known as Peoria Bar, to certain persons therein named—read third time, and passed.

Assembly bill No. 283, an Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 60—returned to the file.

Senate bill No. 195, an Act to secure the payment of the indebtedness of the County of Alameda to the County of Contra Costa.

On the motion to make the bill the special order for Tuesday, March

twenty-fourth, at two o'clock, P. M., the ayes and noes were called, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Cavis, Cunningham, Doll, Higby, Holden, Kutz, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Saxton, Shurtleff, Van Dyke, Wallis, and Whiting—20.

NOES—Messrs. Booth, Chamberlain, Gaskill, and Harriman—4.

Pending the call of the roll, (Mr. Porter of Santa Cruz in the Chair,) Mr. Parks moved to adjourn.

Mr. Oulton raised a point of order, viz: that a motion to adjourn is out of order during the calling of the roll.

The Chair decided the point of order not well taken.

Mr. Lewis appealed from the decision of the Chair.

On which, the ayes and noes were demanded, by Messrs. Parks, Oulton, and Lewis.

When the name of Mr. Chamberlain was called on the last roll call, he asked to explain his vote.

Objection being made, Mr. Shannon moved that he have leave.

The chair entertained the motion.

Mr. Parks raised a point of order that the roll was being called, and, therefore, the motion of Mr. Shannon was not in order.

The Chair decided the point of order not well taken.

Mr. Holden appealed.

The Chair decided but one appeal in order at a time.

Mr. Holden appealed from the decision.

The Chair then decided the Senate to be in an uproar, and adjourned it without a motion, and left the Chair.

The Lieutenant-Governor then assumed the Chair.

Mr. Doll raised the point of order that the Chair had no right to declare the Senate adjourned without taking the vote on the motion to adjourn.

The President decided the point of order well taken.

Mr. Shannon raised a point of order that motions and appeals are not in order during the calling of the roll.

The Chair decided the point of order well taken.

Previous to the announcement of the vote by which Senate bill No. 195 was made the special order for Tuesday, March twenty-fourth, at two o'clock, Mr. Porter of Santa Cruz asked leave to explain his vote.

Objection was made.

The Chair decided a motion to explain out of order.

GENERAL FILE RESUMED.

Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and amendments to the same, approved April eleventh, eighteen hundred and fifty-nine—ordered engrossed, and read third time.

Senate bill No. 264—was returned to file.

Senate bill No. 271, an Act to authorize the Administrator of the estate of Fanny E. Gillespie, deceased, to sell and convey real estate—rules suspended, considered engrossed, read third time, and passed.

Leave of absence for one day was granted to Messrs. Abell, Perkins, Hathaway, and Birdseye.

At two o'clock and forty minutes, p. m., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 24th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmy.

Journal of yesterday read, corrected, and approved.

PETITIONS.

Mr. Shurtleff presented a petition of citizens of Shasta County, praying for the passage into a law of the bill for the better regulation of the indigent sick of said county.

Referred to the Committee on Hospitals.

Mr. Porter of Contra Costa presented a petition of citizens of Contra Costa County, relative to hogs running at large in said county.

Referred to Contra Costa delegation.

REPORTS.

Mr. Kutz, from the Committee on Engrossment, made the following report;

Mr. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No 237, an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight;

Also, Senate bill No. 269, an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax;

Also, Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, Senate bill No. 265, an Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale;

Also, Senate bill No. 252, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State.

KUTZ, for Committee.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

Mr. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 224, an Act concerning grand and trial jurors, and to repeal an Act entitled an Act concerning jurors, passed May third, eighteen hundred and fifty-two, and Acts amendatory thereof or supplementary thereto, have had the same under consideration, and amended the same in accordance with amended printed copy accompanying the bill, and recommend its passage as thus amended ;

Also, Assembly bill No. 180, an Act to authorize married women to execute powers of attorney, report the same back, and recommend its passage ;

Also, Senate bill No. 272, an Act to protect purchasers of real estate from the unlawful acts of married women, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 256, an Act creating a Board of Commissioners to revise and codify the laws of this State, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 187, an Act to regulate the payment of losses on policies of insurance made by foreign insurance companies, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 258, an Act concerning the publication of advertisements, report the same back, and recommend its indefinite postponement ;

Also, Senate bill No. 232, an Act to provide for the formation of trial juries for the District Court in and for the County of Contra Costa, report the same back, and recommend its indefinite postponement.

VAN DYKE, Chairman.

Mr. Parks, Chairman of the Committee on Public Morals, made the following report :

Mr. PRESIDENT :—The Committee on Public Morals, to whom was referred Assembly bill No. 144, an Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, have had the same under consideration, and beg leave to report the same back, with amendments, and recommend its passage as amended.

PARKS, Chairman.

Mr. Harvey made the following report :

Mr. PRESIDENT :—The El Dorado delegation, to whom was referred Assembly bill No. 374, an Act to authorize the Common Council of the City of Placerville to issue certain bonds for the relief of the Fire Department of said city, have had the same under consideration, and report the same back, and recommend its passage without amendment.

HARVEY, for Delegation.

Assembly bill No. 374, above reported, rules suspended, read third time, and passed.

Mr. Chamberlain made a verbal report, recommending the passage of Assembly bill No. 329, an Act to authorize the transfer of moneys in the Treasury of the County of San Joaquin.

Mr. Nixon made the following report :

Mr. PRESIDENT:—The Sacramento delegation, to whom was referred Assembly bill No. 252, an Act authorizing John W. Sharp, and his associates, to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana slough, to the lower Stockton Road, near Benson's Ferry, in the City and County of Sacramento, have had the same under consideration, and recommend its passage.

NIXON,
BOOTH.

For Delegation.

Mr. Gaskill made a verbal report, recommending the passage of Assembly bill No. 281, an Act to protect certain parties in and to a railroad survey to connect Portland, Oregon, with Marysville, California.

Mr. McNabb made the following report:

Mr. PRESIDENT:—The Sonoma delegation have had under consideration Senate bill No. 263, an Act to legalize a survey of Green's Addition to the Town of Santa Rosa, in the County of Sonoma, and recommend the passage of the same.

McNABB, for Delegation.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,

March 23d, 1863. }

Mr. PRESIDENT:—The House, on March twenty-first, adopted the report of the Committee of Free Conference on Senate amendment to section five of Assembly bill No. 71, an Act to authorize S. Spencer, T. B. Simpson, and their associates, to construct a toll bridge across the Yuba River, at or near Sand Flat, in Yuba County;

Also, March twentieth, passed Assembly bill No. 164, an Act concerning estrays;

Also, March twenty-first, passed Assembly bill No. 335, an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April tenth, eighteen hundred and sixty-two;

Also, March twentieth, passed Assembly bill No. 371, an Act to amend an Act entitled an Act changing the time of assessing the value of real and personal property, and collecting the taxes levied thereon for State and county purposes, in the County of Sierra, passed April tenth, eighteen hundred and sixty-two.

W. N. SLOCUM.

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 335, above reported, read first and second times, and referred to the San Bernardino delegation.

Assembly bill No. 164, above reported, read first and second times, and referred to the Committee on Agriculture.

Assembly bill No. 371, above reported, read first and second times, and referred to the Finance Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McCullough, for an Act to amend an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and the Act amendatory thereof, approved April twenty-seventh, eighteen hundred and sixty.

Read first and second times, and placed on file.

By Mr. Hathaway, for an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regarding the same, and to confer further powers upon the Auditor and Treasurer of said city and county.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Perkins, for an Act making appropriation for the Contingent Fund of the Senate for the thirteenth session of the Legislature.

Read first and second times, and referred to the Finance Committee.

By Mr. Crane, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Cunningham, for an Act to authorize the California Central Railroad Company to hold an election.

Read first and second times, rules suspended, bill considered engrossed, read third time, and passed, and sent to the Assembly.

By Mr. Wallis, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate bill No. 234, an Act fixing the pay for mileage of State, county, township, city, and city and county officers in certain cases—amended.

On the motion to strike out the words "all costs for conveying persons to the Insane Asylum shall be paid by the county from which such persons were ordered to be sent," the ayes and noes were demanded, by Messrs. Perkins, Gaskill, and Hathaway, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Cavis, Cunningham, Gaskill, Higby, Higgins, Holden, McCullough, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Quint, Shannon, Shurtleff, and Van Dyke—21.

NOES—Messrs. Birdseye, Chamberlain, Clark, Crane, Doll, Harriman,

Hathaway, Kutz, Pacheco, Perkins, Porter of Santa Cruz, Powers, and Whiting—13.

Amendment adopted, rules suspended, bill considered engrossed, read third time, and passed.

On motion of Mr. Pacheco, Senate bill No. 209, an Act to provide for the better defence of this State, was placed at top of the file for Wednesday, March twenty-fifth.

On motion of Mr. Porter of Contra Costa, Senate bill No. 195, an Act to secure the payment of the indebtedness of the County of Alameda to the County of Contra Costa, was ordered to the top of the file for Wednesday, March twenty-fifth.

On motion of Mr. Hathaway, Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor, was ordered to the top of the file for Wednesday, March twenty-fifth.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 47, an Act to prevent the use of phosphorus for poisoning vermin or any animals in certain counties of this State, between the first of March and the first of September in each year;

Also, Senate bill No. 93, an Act to provide a Special Fund for the construction of the State Capitol Building at the City of Sacramento;

Also, Senate bill No. 107, an Act explanatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two;

Also, Senate bill No. 122, an Act providing for the time of holding Court in the Sixteenth Judicial District; •

Also, Senate bill No. 202, an Act to define the boundaries of Sierra County, to collect certain taxes, to transfer certain records, and to legalize certain civil actions determined and pending in the Counties of Sierra and Plumas.

And that this day, March twenty-fourth, eighteen hundred and sixty-three, at one o'clock, P. M., said bills were delivered to the Governor for his approval.

HIGGINS, Chairman.

SPECIAL ORDER.

The resolutions in regard to the seat now held by Leander Quint.

Mr. Hathaway moved to indefinitely postpone the resolutions.

Pending the motion to indefinitely postpone, Mr. Cavis having the floor, Mr. McNabb moved to postpone the further consideration of the subject until Wednesday, March twenty-fifth, at three o'clock, P. M.

Carried.

At five o'clock and fifteen minutes, P. M., on motion of Mr. Abell, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
 Wednesday, March 25th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

Mr. Crane presented a petition of Jesus Maria Soto, Mariano Soto, and Barbara de Castro Soto, to permit them to sell real estate.

Ordered on file.

REPORTS.

Mr. Gaskill made a verbal report, recommending that Assembly bill No. 242 be referred to the Judiciary Committee.

So referred.

Mr. Bogart made the following report :

MR. PRESIDENT :—The delegation have had Assembly bill No. 335 under consideration, and report the same back, and recommend the passage thereof.

BOGART, for Delegation.

Mr. McNabb made the following report :

MR. PRESIDENT :—The delegation to whom was referred Senate bill No. 267, have had the same under consideration, and recommend its passage, with the following amendments :

In the fifth line of section first strike out "eighteen months," and insert "ten months;" and in the ninth and tenth lines of section first strike out "three years," and insert "two years."

McNABB,
 HOLDEN,

For Delegation.

Mr. Parks made the following report :

MR. PRESIDENT :—Your Committee of Free Conference on the disagreeing vote of the two Houses on Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, approved May fifteenth, eighteen hundred and sixty-two, have had the same under consideration, and beg leave to recommend the following amendment to Senate amendment.

PARKS,

Chairman Senate Committee.

HASWELL,

Chairman House Committee.

Adopted.

Mr. Holden made the following report :

MR. PRESIDENT :—The delegation from Mendocino have had under consideration Assembly bill No. 168, an Act to separate the office of

County Recorder from the office of County Clerk in the Counties of Napa and Mendocino, amended the bill, and recommend the passage of the same as amended.

HOLDEN, for Delegation.

Assembly bill No. 168, above reported, amended, read third time, and passed.

Mr. Cunningham made the following report :

MR. PRESIDENT:—The undersigned, a portion of the Yuba and Nevada delegations, to whom was referred Senate bill No. 244, an Act to ascertain the indebtedness of the County of Nevada to the County of Yuba, and to provide for the payment of the same, have considered the same, and report it back, without amendment, and recommend its passage.

LEWIS,
CUNNINGHAM,
PARKS.

Mr. Birdseye made the following report :

MR. PRESIDENT:—The undersigned, a portion of the special committee to whom was referred Senate bill No. 244, an Act to ascertain the indebtedness of Nevada County to Yuba County, and to provide for the payment of the same, submit the following report :

Upon an examination of such sources of information as are readily within reach of the undersigned, they ascertain that the claim of Yuba County, to which this bill refers, is an old story, the merits of which have been canvassed at all the sessions of the Legislature from eighteen hundred and fifty-two to eighteen hundred and fifty-seven or eighteen hundred and fifty-eight, and which, upon investigation, has in every instance been dismissed without final action.

We are informed that Yuba County held jurisdiction over the territory now comprised within the boundaries of Nevada County, for a period of about nine months after its settlement, and that during that time she obtained collections from the citizens within such boundaries of nearly thirty thousand dollars, but never incurred one dollar of expense in consequence of such jurisdiction; and that she refused to pay debts legally chargeable against her. Two of the Board of Commissioners first appointed under the Act of eighteen hundred and fifty-one, found that the equities as to indebtedness were entirely on the side of Nevada County, and so reported.

Another Board of Commissioners was afterwards appointed, of whom Hon. Thomas Henly was one. After an examination of the merits of the claim upon the side of Yuba County, they refused to act, and made no report.

We believe that it will be apparent to your honorable body that a demand that has existed for twelve years, after repeated efforts for its recognition, without such efforts obtaining success in any degree, can have little on nothing of validity or merit in it.

We respectfully recommend the indefinite postponement of the bill.

BIRDSEYE,
KUTZ,
Of Special Committee.

Mr. Kutz, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 226, an Act supplementary to and amendatory of an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three, and all Acts amendatory thereof;

Also, Senate bill No. 229, an Act to authorize the issuance of a duplicate School Land warrant to Henry W. Peck;

Also, Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino.

KUTZ, for Committee.

Mr. Saxton, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco.

SAXTON, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
March 24th, 1863. }

Mr. PRESIDENT :—The Assembly, yesterday, receded from its amendment to Senate concurrent resolution No. 21, relative to General Joseph Hooker ;

Also, appointed Messrs. Haswell, Dunne, and Orr, a Committee of Free Conference, on the part of the House, to confer with the Senate Committee on Senate amendments to Assembly bill No. 75, an Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two ;

Also, on March twenty-third, passed Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers ;

Also, on March twenty-third, passed Assembly bill No. 392, an Act to empower the Board of Trustees of Petaluma to levy a special tax for the benefit of the Fire Department of said city ;

Also, on March twenty-third, indefinitely postponed Senate bill No. 75, an Act in reference to corporations organized in this State for the purpose of mining ;

Also, on March twenty-third, passed Senate bill No. 91, an Act to amend the Civil Practice Act of this State in relation to attachments ;

Also, on March twenty-third, amended and passed Senate bill No. 222, an Act to authorize P. S. Palmstream to establish, keep up, and maintain a public ferry across Big River, in Mendocino County, near the Big River Mills ;

Also, on March twenty-third, amended and passed Senate bill No. 118,

an Act to grant to John McNealy, and his associates, the right to construct and maintain a toll bridge across the Mokelumne River, in the Counties of Calaveras and Amador;

Also, same day, passed Senate bill No. 260, an Act supplemental to an Act entitled an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama;

Also, on this day, passed, with amendments, Senate bill No. 31, an Act concerning trade marks and names;

Also, on March twenty-fourth, amended and passed Senate bill No. 119, an Act concerning records of District Courts;

Also, on March twenty-fourth, indefinitely postponed Senate bill No. 126, an Act to amend an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine;

Also, on March twenty-fourth, passed Senate bill No. 135, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty;

Also, on March twenty-fourth, amended and passed Senate bill No. 142, an Act to regulate fees in office in the Counties of Shasta and Trinity;

Also, on March twenty-fourth, passed Senate bill No. 154, an Act to amend an Act to limit the time for the presentation of claims against counties, and for receiving payment for the same;

Also, on March twenty-fourth, passed Senate bill No. 175, an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador;

Also, on March twenty-fourth, passed Senate bill No. 276, an Act to authorize the California Central Railroad Company to hold an election;

Also, on March twenty-fourth, passed Assembly bill No. 285, an Act to regulate and license places of public amusements.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
March 25th, 1863. }

MR. PRESIDENT:—The Assembly, on yesterday, passed Assembly bill No. 272, an Act supplementary to an Act entitled an Act to grant to certain parties the right of laying a railroad track along certain streets within the City and County of San Francisco, which became a law on the sixth day of April, eighteen hundred and fifty-seven, and the Act amendatory thereof.

H. G. WORTHINGTON,
Clerk of Assembly.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 392, above reported, read first and second times. rules suspended, read third time, and passed.

Senate bill No. 21, above reported, Senate concurred in Assembly amendments.

Senate bill No. 142, above reported, Senate concurred in Assembly amendments.

Senate bill No. 31, above reported, Senate concurred in Assembly amendments.

Senate bill No. 222, above reported, Senate concurred in Assembly amendments.

Senate bill No. 119, above reported, referred to the Judiciary Committee.

Senate bill No. 118, above reported, laid on the table.

Assembly bill No. 285, above reported, read first and second times, and referred to the Committee on Public Morals.

Senate bill No. 272, above reported, read first and second times, and referred to the San Francisco delegation.

Mr. Clark, of the San Francisco delegation, to whom was referred Assembly bill No. 272, an Act supplementary to an Act entitled an Act to grant to certain parties the right of laying a railroad track along certain streets within the City and County of San Francisco, which became a law on the sixth day of April, A. D. eighteen hundred and fifty-seven, and the Acts amendatory thereof, reported verbally, recommending its passage.

Mr. Perkins, pursuant to notice, moved to amend Standing Rule Number Twenty-Seven, by striking out the word "eleven," and inserting the word "ten," and that the Senate hereafter take a recess from twelve o'clock and thirty minutes, P. M. to one o'clock, P. M.

Carried.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Van Dyke, for an Act providing for the time of holding the several Courts of Record in this State.

Read first and second times, ordered on file, and the usual number of copies ordered printed.

By Mr. McNabb, for an Act to authorize the Trustees of Petaluma School District to levy a tax for School purposes.

Read first and second times, and placed on file.

By Mr. Crane, for an Act to enable Jesus Maria Soto and Mariano Soto to sell and convey or make partition of their real estate, and removing their disability from nonage.

Read first and second times, and placed on file.

By Mr. Porter of Santa Cruz, for an Act to provide for an increase of pay to the California Volunteers.

Read first and second times, and referred to the Finance Committee.

By Mr. Gaskill, for an Act concerning trial jurors and jury trials, and fixing the fees of trial jurors in the County of Butte.

Read first and second times, and referred to the Butte delegation.

On motion of Mr. Abell, Senate bill No. 235, an Act to provide for the maintenance and supervision of Public Schools, and to repeal former Acts concerning the same, was taken from the file, and the Senate concurred in the Assembly amendments.

On motion of Mr. Gaskill, Assembly bill No. 281, an Act to protect certain parties in and to a railroad survey to connect Portland, Oregon, with Marysville, California, was taken from the file, read third time, and passed.

On motion of Mr. Whiting, Assembly bill No. 235, an Act to establish a Female Department in the County Jail of the City and County of San Francisco, was taken from the file.

On motion to refer the bill to the Judiciary Committee, the ayes and noes were demanded, by Messrs. Perkins, Whiting, and McNabb, and taken, with the following result :

AYES—Messrs. Abell, Baker, Bogart, Clark, Crane, Cunningham, Gas-

kill, Harriman, Hathaway, Kutz, Porter of Contra Costa, Powers, and Wallis—13.

NOES—Messrs. Booth, Chamberlain, Doll, Harvey, Holden, McNabb, Pacheco, Parks, Perkins, Quint, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—15.

So the reference was refused, and the bill amended, read third time, and passed.

GENERAL FILE.

Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five—read third time, and passed.

Senate bill No. 269, an Act to provide for the better defence of this State—laid on the table.

Assembly bill No. 93, an Act for the payment of William A. Cornwall—indefinitely postponed.

Assembly concurrent resolution No. 34, concerning the establishment of an Agricultural College—indefinitely postponed.

Senate concurrent resolution No. 9, relative to Mechanical and Agricultural Arts College—indefinitely postponed.

Senate bill No. 74, an Act to authorize the construction of floating dry docks in the harbor of San Francisco—ordered to top of file for Friday, March twenty-seventh.

Senate bill No. 97, an Act to establish an Agricultural and Mechanical Arts College in Napa County.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Holden, McNabb, and Powers, and taken, with the following result:

AYES—Messrs. Clark, Harvey, Higby, Higgins, McCullough, Pacheco, Parks, Powers, Saxton, Shurtleff, Van Dyke, and Wallis—12.

NOES—Messrs. Bogart, Chamberlain, Crane, Cunningham, Doll, Holden, Lewis, McNabb, Nixon, and Quint—10.

So the bill was indefinitely postponed.

Assembly bill No. 91—returned to file.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 100, an Act in relation to the Exempt Fire Company of the City and County of San Francisco, and that said bill was, this day, March twenty-fifth, eighteen hundred and sixty-three, at twelve o'clock and thirty-five minutes, P. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

Senate bill No. 195, an Act to secure the payment of the indebtedness of the County of Alameda to the County of Contra Costa.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Porter of Contra Costa, Powers, and Chamberlain, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Chamberlain, Clark, Crane, Gaskill,

Harriman, Harvey, Hathaway, Holden, Kutz, McCullough, Nixon, Oulton, Perkins, Quint, Shurtleff, Van Dyke, and Wallis—19.

NOES—Messrs. Cunningham, Higby, Lewis, Parks, Porter of Contra Costa, Powers, Saxton, and Shannon—8.

So the bill was indefinitely postponed.

Mr. Shurtleff gave notice of a motion to reconsider the vote by which Senate bill No. 97 was indefinitely postponed.

Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor—ordered to top of the file for Thursday, March twenty-sixth.

Senate bill No. 217, an Act respecting the compensation of Inspectors of Stamps residing at the City of San Francisco—ordered to top of file for Thursday, March twenty-sixth.

Pending a motion to make Senate bill No. 257 the special order for Thursday, March twenty-sixth, at eleven o'clock, A. M., the hour for the consideration of the resolutions relative to the seat now held by Leander Quint arrived, and after further consideration, were made the special order for Thursday, March twenty-sixth.

Mr. Wallis introduced a bill for an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto—read first and second times, and referred to the Judiciary Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 25th, 1863.

To the Honorable the Senate of California :

I have to inform your honorable body, that in answer to a dispatch transmitted to the Hon. Secretary of War of the United States, conveying Senate resolution No. —, I have received a reply of a nature which it is not advisable to make public, but in which it is stated that the General Government will furnish the arms required, and more. I have also to inform your honorable body that I have received from Senator J. A. McDougall a dispatch, of date twenty-third March, eighteen hundred and sixty-three, informing me that the General Government will do all that is demanded for the maintenance of our coast.

LELAND STANFORD, Governor.

The above message, together with Senate bill No. 269, an Act to provide for the better defence of this coast, were, on motion of Mr. Pacheco, referred to the Committee on Military Affairs.

At four o'clock and fifty minutes, P. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, March 26th, 1863. }

Senate met pursuant to adjournment.
President in the Chair.
Roll called.
Quorum present.
Journal of yesterday read and approved.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
March 26th, 1863. }

MR. PRESIDENT :—The House, yesterday, passed Assembly concurrent resolution No. 37, asking the Governor to return a certain bill.

W. N. SLOCUM,
Assistant Clerk.

Upon concurring in Assembly concurrent resolution No. 37, above reported, the ayes and noes were demanded, by Messrs. Hathaway, Perkins, and Wallis, and taken, with the following result :

AYES—Messrs. Chamberlain, Clark, Cunningham, Hathaway, Higby, McNabb, Nixon, Porter of Contra Costa, Wallis, and Whiting—10.

NOES—Messrs. Baker, Bogart, Crane, Doll, Holden, Kutz, Oulton, Parks, Perkins, Porter of Santa Cruz, Powers, Quint, Shannon, Shurtleff, and Van Dyke—15.

REPORTS.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—Your Committee on Commerce and Navigation, have had under consideration Senate bill No. 90, an Act to provide for the improvement and protection of wharfs, docks, and water front in the City and County of San Francisco, and beg leave to report the same back, with the recommendation that it do not pass.

CLARK, Chairman.

Senate bill No. 90, above reported, ordered to top of file for Tuesday, March thirty-first, eighteen hundred and sixty-three.

Mr. Whiting made a verbal report, recommending the passage of Senate bill No. 184, with amendments.

Mr. Perkins, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :—The Committee on Finance, to whom was referred Senate bill No. 30, an Act to appropriate money for the transportation of convicts to the State Prison, have had the same under consideration, report the same back, and recommend that it do not pass, on the ground

that it should be reported in the deficiency bill, to be reported by the Committee of Ways and Means of the House;

Also, have had under consideration Assembly bill No. 70, an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, report the same back, with a substitute, and recommend the adoption of the substitute.

PERKINS, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

March 25th, 1863. }

Mr. PRESIDENT:—The Assembly, on the twenty-first of March, passed Assembly bill No. 100, an Act to amend an Act entitled an Act to amend an Act entitled an Act authorizing and empowering the Board of Supervisors in and for the County of Butte to levy a special tax on all the taxable property in said county for contingent purposes, approved March tenth, eighteen hundred and fifty-nine, approved March fifth, eighteen hundred and sixty-two;

Also, same day, passed Assembly bill No. 101, an Act to amend an Act entitled an Act in relation to the Board of Supervisors in and for Butte County, and concerning their powers, approved April tenth, eighteen hundred and sixty-two;

Also, same day, passed Assembly bill No. 287, an Act to provide for the reclamation of the Swamp and Overflowed Lands donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty;

Also, same day, passed Assembly bill No. 298, an Act granting to certain parties the right to build a turnpike road at a point on the Big Tree road to Silver Mountain, and from thence to the eastern line of this State;

Also, same day, passed Assembly bill No. 326, an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one;

Also, same day, passed Assembly bill No. 327, an Act to authorize the Board of Supervisors of the County of Butte to transfer certain funds;

Also, same day, passed Assembly bill No. 337, an Act to regulate the fees of Constables of El Dorado County;

Also, March twenty-third, passed Assembly bill No. 344, an Act to confer further powers upon the Board of Education of the City and County of San Francisco;

Also, March twenty-first, passed Assembly bill No. 376, an Act concerning estrays and animals found running at large in the County of Santa Clara;

Also, March twenty-third, passed Assembly bill No. 385, an Act to regulate mileage in the Counties of Del Norte and Klamath;

Also, March twenty-fourth, amended and passed Senate bill No. 124, an Act concerning roads and highways in the County of Nevada;

Also, March twenty-fourth, passed Senate bill No. 210, an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 100, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 327, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 101, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 287, above reported, read first and second times, and referred to Committee on Swamp and Overflowed Lands.

Assembly bill No. 298, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 326, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 337, above reported, read first and second times, and referred to the El Dorado delegation.

Assembly bill No. 344, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 376, above reported, read first and second times, and referred to the Santa Clara delegation.

Assembly bill No. 385, above reported, read first and second times, and referred to the Klamath and Del Norte delegation.

The Senate concurred in Assembly amendments to Senate bill No. 124, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane, for an Act to authorize the Board of Supervisors of the County of Alameda to take and subscribe two hundred and twenty thousand dollars to the capital stock of the Alameda Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. McCullough, for an Act to amend an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Birdseye, for an Act to appropriate the sum of eighteen thousand five hundred and ninety dollars of the money saved on the payment of the State's quota of the National Tax in Treasury Notes, in aid of recruiting and raising the volunteers recently called for by the proclamation of the Governor.

Read first and second times, and referred to the Military Committee, with instructions to report to-morrow.

By Mr. McCullough, for an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Finance Committee.

Senate bill No. 266, an Act in relation to the construction of canals, and for draining and reclaiming certain Swamp and Overflowed Lands in Tulare Valley, was taken from the file, considered engrossed, read third time, and passed.

Senate bill No. 257, an Act amendatory of and supplemental to an Act

for the education of the indigent Deaf, Dumb, and Blind, in the State of California, approved April eighteenth, eighteen hundred and sixty-one, was taken from the table, and ordered to the top of the file for Tuesday next, March thirty-first.

Senate bill No. 179, an Act to amend an Act concerning passengers arriving in the ports of this State, approved May third, eighteen hundred and fifty-two, was taken up, considered engrossed, read third time, and passed.

REPORTS.

Mr. Shannon made the following report :

Mr. PRESIDENT:—The special committee, to whom was referred an Act to establish and define the eastern boundary line of this State, report the same back, and recommend its passage as amended.

SHANNON, for Committee.

Senate bill No. 259, above reported, ordered to top of the file for to-morrow.

Mr. Doll made the following report :

Mr. PRESIDENT:—Your select committee, to whom was referred Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof, have heard the testimony offered by the parties favoring and disapproving the proposition, respectively, and after due consideration, beg leave to report the bill back, without amendment, and recommend its passage.

DOLL,
BIRDSEYE,
HARRIMAN,
WALLIS,
PACHECO.

Assembly bill No. 197, above reported, made the special order for two o'clock to-morrow.

On motion of Mr. Perkins, Assembly bill No. 272, an Act supplementary to an Act to grant to certain parties the right of laying a railroad track along certain streets in the City and County of San Francisco, which became a law on the sixth day of April, eighteen hundred and fifty-seven, and the Acts amendatory thereof, was taken up, read third time, and passed.

Mr. Kutz made the following report :

Mr. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof;

Also, Senate bill No. 234, an Act fixing the pay for mileage of State, county, and city and county officers in civil cases.

KUTZ, for Committee.

Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor.

Pending consideration of the above bill, Mr. Gaskill having the floor, the Senate took a recess until one o'clock, P. M.

SENATE RE-ASSEMBLED.

President in the Chair.

Roll called.

No quorum was present.

On motion of Mr. Gaskill, at one o'clock and five minutes, P. M., the Senate adjourned.

J. F. CHELLIS.

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Friday, March 27th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Peck.

Journal of yesterday read and amended.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto, report it back, with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 119, an Act concerning records of District Courts, report it back, and recommend that the Senate concur in the Assembly amendments ;

Also, Senate bill No. 288, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their powers and duties, passed March twentieth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplementary thereto, report it back, with a substitute, and recommend the passage of the substitute.

VAN DYKE, Chairman.

Mr. Van Dyke made the following report :

MR. PRESIDENT:—The delegation from Del Norte and Klamath, to whom was referred Assembly bill No. 385, an Act to regulate mileage in the Counties of Del Norte and Klamath, having had the same under consideration, report it back, and recommend its passage.

VAN DYKE, for Delegation.

Assembly bill No. 385, above reported, read third time, and passed.
Mr. Vineyard made the following report :

Mr. PRESIDENT :—The Los Angeles delegation have carefully examined Assembly bill No. 309, an Act to change the name of New San Pedro, a town in Los Angeles County, and recommend its passage.

VINEYARD, for Delegation.

Mr. Gaskill made a verbal report, recommending passage of Assembly bill No. 278, an Act to authorize the County of Butte to purchase and hold sixty-six thousand dollars of the first mortgage bonds of the California Northern Railroad Company, and to issue bonds of said county for the payment of the same, and for other purposes connected therewith, with an amendment.

Assembly bill No. 278, above reported, amended, read third time, and passed.

Mr. Porter of Santa Cruz made the following report :

Mr. PRESIDENT :—The Santa Cruz delegation, to whom was referred Assembly bill No. 232, an Act relative to public and private roads in the County of Santa Cruz, report the same back, with the recommendation that it pass.

PORTER of Santa Cruz, for Delegation.

On motion of Mr. Pacheco, the Military Committee were granted further time to consider Senate bill No. 291.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wallis, for an Act supplemental to and explanatory of an Act to allow James E. Nuttman, Marcus Harlow, and their assigns, to construct and maintain a toll road in the County of San Mateo, passed March twenty-sixth, eighteen hundred and sixty-three.

Read first and second times, and placed on file.

Also, for an Act to prevent the fraudulent conveyance or encumbrance of real estate by married women.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to provide for the better protection of orchards, vineyards, nurseries, and gardens.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Perkins, for an Act amendatory of and supplementary to an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee, and ordered printed.

Also, for an Act amendatory of and supplementary to an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Higgins, for an Act to authorize the persons therein named,

their associates, successors, and assigns, to improve and use the Truckee River.

Read first and second times, and ordered on file.

By Mr. Powers, for an Act concerning the office of County Clerk in the County of Yolo.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Also, for an Act concerning official publications for the County of Yolo.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Also, for an Act concerning the office of District Assessor in the County of Yolo.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Mr. Higgins offered the following resolution :

Resolved, That H. Clock be paid the sum of four dollars per day as Assistant Paper Folder, and Assistant Messenger, and Fireman of the Senate, from the fifteenth day of January, eighteen hundred and sixty-three, payable out of the Contingent Fund of the Senate.

Mr. Kutz offered the following amendment :

“And the said sum of four dollars per day shall be deducted, in equal proportions, from the per diem pay of the Paper Folder, Fireman, and Messenger.”

Resolution and amendment referred to the Committee on Contingent Expenses.

On motion of Mr. Gaskill, the resolution in regard to the seat held by Hon. Leander Quint was taken from unfinished business, and made the special order for three o'clock, P. M., to-day.

On motion of Mr. Shurtleff, the Thirtieth Rule of the Senate was suspended, and the Twenty-Seventh Standing Rule of the Senate amended so as to read as follows :

“The time of meeting of the Senate shall be eleven o'clock, A. M. (Sunday excepted,) and in case any other is named, it shall be applicable only to one day, and shall not affect this Rule beyond the day named for a different hour of meeting.”

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

March 27th, 1863.

MR. PRESIDENT :—The House, yesterday, passed Assembly bill No. 417, an Act to give immediate effect to an Act therein named ;

Also, March twenty-third, passed Assembly bill No. 47, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty ;

Also, March twenty-third, passed Assembly bill No. 62, an Act to

amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty ;

Also, March twenty-sixth, passed, with amendments, Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes ;

Also, March twenty-sixth, amended and passed Senate bill No. 246, an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 417, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 47, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 62, above reported, read first and second times, and referred to the Judiciary Committee.

Senate concurred in Assembly amendments to Senate bill No. 117, above reported.

Senate concurred in Assembly amendments to Senate bill No. 246, above reported.

REPORTS.

Mr. Higby made the following report :

MR. PRESIDENT :—The Calaveras delegation have had under consideration Senate bill No. 274, and report it back, and recommend its passage as amended.

HIGBY, for Delegation.

Senate bill No. 274, above reported, was considered engrossed, read third time, and passed.

Mr. Parks made a verbal report, reporting back Senate bill No. 233, without recommendation.

On motion of Mr. Parks, Assembly bill No. 144, an Act to amend an Act entitled an Act to amend an Act to regulate marriages, passed April twenty-second, eighteen hundred and fifty, was taken up.

On adopting the following amendment :

"Provided, unmarried persons heretofore living and cohabiting together as husband and wife, may be married without license or public record thereof ; provided, the clergyman performing the ceremony shall make a record thereof in the church register."

The ayes and noes were demanded, by Messrs. Clark, Wallis, and Parks, and taken, with the following result :

AYES—MESSRS. Abell, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Kutz, McCullough, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shurtleff, and Wallis—16.

NOES—MESSRS. Birdseye, Crane, Higby, Higgins, Holden, Lewis, McNabb, Pacheco, Parks, Perkins, Quint, Shannon, and Whiting—13.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 109, an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin River, in Fresno County ;

Also, Senate bill No. 123, an Act to amend an Act entitled an Act in relation to public roads in Calaveras County, approved April tenth, eighteen hundred and sixty-two ;

Also, Senate bill No. 127, an Act amendatory of and supplementary to an Act entitled an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties on the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight ;

Also, Senate bill No. 147, an Act to re-incorporate the City of Placerville, and to extend the limits thereof ;

Also, Senate bill No. 186, an Act to exempt from taxation certain property of the Society of California Pioneers ;

Also, Senate bill No. 248, an Act to amend an Act to authorize the Board of Supervisors of Amador County to levy a special tax and create a Redemption Fund for the payment of outstanding road warrants in said county, approved May fifth, eighteen hundred and sixty-two ;

Also, Senate bill No. 260, an Act supplemental to an Act entitled an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County ;

And, that said bills were this day, March twenty-seventh, eighteen hundred and sixty-three, at eleven o'clock and forty-five minutes, A. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

GENERAL FILE.

Senate bill No. 162, an Act to amend an Act entitled an Act concerning the Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof—read third time, and passed.

Senate bill No. 74, an Act to authorize the construction of floating dry docks in the harbor of San Francisco :

On the motion to place the bill at top of file for Tuesday, March thirty-first, the ayes and noes were demanded, by Messrs. Hathaway, Whiting, and Oulton, and taken, with the following result :

AYES—MESSRS. Abell, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higgins, Kutz, McCullough, Oulton, Parks, Powers, Quint, Saxton, Shurtleff, Wallis, and Whiting—19.

NOES—MESSRS. Baker, Birdseye, Bogart, Crane, Doll, Holden, Lewis, McNabb, Perkins, Porter of Santa Cruz, and Vineyard—11.

So the bill was ordered to top of file for Tuesday, March thirty-first.

Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California—ordered to top of file for Saturday, March twenty-eighth.

Mr. Perkins, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT:—The Finance Committee, to whom was referred Sen-

ate bill No. 236, an Act to transfer certain funds, and to provide for the appropriation thereof, have had the same under consideration, report the same back, with a substitute, and recommend the passage of the substitute.

PERKINS, Chairman.

Senate bill No. 236, above reported, was considered, substitute adopted, and referred to the Committee on Public Buildings.

Mr. Kutz moved a call of the Senate.

Carried.

The following Senators were absent without leave: Messrs. Anderson, Booth, Cavis, Crane, Harriman, Higby, Higgins, McNabb, Pacheco, Perkins, Saxton, and Shannon.

Mr. Kutz moved to suspend further proceedings under the call.

Carried.

Mr. Abell moved to adjourn.

Lost.

Mr. Abell moved a call of the Senate.

Upon which, the ayes and noes were demanded, by Messrs. Gaskill, Powers, and Abell, and taken, with the following result:

AYES—MESSRS. Abell, Baker, Bogart, Chamberlain, Clark, Doll, Gaskill, Harriman, Hathaway, Lewis, McCullough, Porter of Santa Cruz, Powers, Van Dyke, and Wallis—15.

NOES—MESSRS. Cunningham, Harvey, Holden, Kutz, Oulton, Parks, Porter of Contra Costa, Quint, Saxton, Shannon, Shurtleff, Vineyard, and Whiting—13.

So the call was ordered.

The following Senators were absent without leave: Messrs. Anderson, Booth, Crane, McNabb, and Pacheco.

On motion of Mr. Gaskill, further proceedings under the call were suspended.

Mr. Pacheco was granted indefinite leave of absence, and Messrs. Anderson and Nixon, leave for one day each.

Consideration of Senate bill No. 146, resumed—considered in Committee of the Whole, and bill ordered to top of file for to-morrow.

Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof, (special order of the day,)—was made special order for to-morrow, at eleven and a half o'clock, A. M.

Senate bill No. 217, an Act respecting the compensation of Inspectors of Stamps, residing at the City of San Francisco—Senate refused to order engrossed.

The resolution regarding the seat of Hon. Leander Quint, (special order,) was taken up.

Mr. Hathaway, by leave, withdrew the motion to indefinitely postpone.

The question being upon the substitute offered by the Committee on Elections, Mr. Perkins moved that the vote be first taken upon the first subdivision of the resolution, reading as follows:

“Resolved, That the resolution of this Senate of the fourteenth day of March, eighteen hundred and sixty-two, declaring that Senator Leander Quint is the legally elected Senator from the Twelfth Senatorial District, composed of the Counties of Tuolumne and Mono, be hereby rescinded.”

Mr. Van Dyke offered an amendment, which was ruled out of order by the Chair, (Mr. Powers.)

Mr. Oulton appealed from the decision of the Chair.

The Chair was sustained.

On the first subdivision, the ayes and noes were demanded, by Messrs. Gaskill, Harriman, and Shannon, and taken, with the following result:

AYES—Messrs. Abell, Birdseye, Cavis, Chamberlain, Clark, Gaskill, Harriman, Hathaway, Higby, McCullough, McNabb, Oulton, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, and Wallis—19.

NOES—Messrs. Baker, Bogart, Booth, Harvey, Higgins, Holden, Lewis, Shurtleff, Van Dyke, and Vineyard—10.

The resolution was then made the special order for to-morrow, at twelve o'clock, M.

At five o'clock and fifty minutes, P. M., on motion of Mr. McNabb, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Saturday, March 28th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmy.

Journal of yesterday read, corrected, and approved.

Mr. Kutz had leave to record his vote in the affirmative, and Mr. Parks in the negative, on the adoption of the first subdivision of the resolution in regard to the seat held by the Hon. Leander Quint.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 326, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, report the same back, and recommend it be referred to the Los Angeles delegation;

Also, Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers, report the same back, and recommend that the Assembly amendments be concurred in.

VAN DYKE, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 207, an Act appropriating money to pay the claim of the San Francisco Gas Company ;

Also, Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and amendments to the same, approved April eleventh, eighteen hundred and fifty-nine ;

Also, Senate bill No. 253, an Act to authorize Edward Gallagher, James Gallagher, E. A. Pool, and their associates and assigns, to lay down water pipes in the town of Aurora, County of Mono ;

Also, Senate bill No. 271, an Act to authorize the Administrator of the estate of Fanny E. Gillespie, deceased, to sell and convey real estate.

KUTZ, for Committee.

Mr. Holden made the following report :

Mr. PRESIDENT :—The delegation from Mendocino have had under consideration Assembly bill No. 202, an Act authorizing parties therein named to construct and maintain a boom across the Guallala River, in Mendocino County, and recommend the passage of the bill.

HOLDEN, for Delegation.

Assembly bill No. 202, above reported, read third time, and passed.

Mr. Booth made the following report :

Mr. PRESIDENT :—The Sacramento delegation, to whom was referred Assembly bill No. 164, entitled an Act to amend an Act entitled an Act concerning the construction and repair of levees in the County of Sacramento, and the mode of raising revenue therefor, have had the same under consideration, report it back, with amendments, and recommend its passage as amended ;

Also, Senate bill No. 223, entitled an Act to authorize the Board of Levee Commissioners of the City of Sacramento to improve the navigation of the river in front of the city, and for other purposes, have had the same under consideration, and report the same back, with a substitute, and recommend the passage of the substitute.

NIXON,
BOOTH.

Assembly bill No. 164, above reported, amended, read third time, passed, and title amended.

Senate bill No. 223, above reported, taken up, substitute adopted, bill considered engrossed, read third time, and passed.

Assembly bill No. 197, (special order for eleven o'clock and thirty minutes, A. M.,) was taken up, and ordered to top of the file for Wednesday, April first.

Assembly bill No. 180, an Act to authorize married women to execute powers of Attorney, was taken from the file, read third time, and passed.

Senate bill No. 295, an Act supplemental to and explanatory of an Act to allow James E. Nuttman, Marcus Harlow, and their assigns, to construct and maintain a toll road in the County of San Mateo, was taken from the file, bill considered engrossed, read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 27th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 87, an Act to repeal section second of an Act entitled an Act to provide for the conveyance of mining claims, approved April thirteenth, eighteen hundred and sixty ;

Also, substitute for Senate bill No. 100, an Act in relation to the Exempt Fire Company of the City and County of San Francisco ;

Also, Senate bill No. 122, an Act providing for the time of holding Court in the Sixteenth Judicial District ;

Also, Senate bill No. 93, an Act to provide a Special Fund for the construction of the State Capitol Building at the City of Sacramento ;

Also, Senate bill No. 202, an Act to better define the boundaries of the County of Sierra, to collect certain taxes, to transfer certain records, and to legalize certain civil actions determined and pending in the Counties of Sierra and Plumas.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
March 28th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, passed Senate bill No. 179, an Act to amend an Act entitled an Act concerning passengers arriving in the ports of this State, approved May third, eighteen hundred and fifty-two.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER, }
March 27th, 1863. }

Mr. PRESIDENT :—The Assembly, on the twenty-first instant, passed Assembly bill No. 123, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board ;

Also, on the twenty-fourth instant, passed Assembly bill No. 389, an Act to authorize the Superintendent of Public Schools of the County of Trinity to pay the claim of John H. Hough.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 123, above reported, read first and second times, and ordered on file.

Assembly bill No. 389, above reported, read first and second times, and referred to the Trinity delegation.

On motion of Mr. Hathaway, Senate bill No. 146 was ordered to top of file for March thirty-first.

The general file was postponed until the special order of the day, the resolution in regard to the seat held by Hon. Leander Quint, was disposed of.

SPECIAL ORDER.

The second subdivision of the resolution in regard to the seat of Hon. Leander Quint, reading as follows :

"And further, *Resolved*, That Leander Quint was not legally elected to this Senate."

Mr. Gaskill moved a call of the Senate.

Carried.

The following members were absent, viz: Messrs. Baker, Birdseye, Clark, Cunningham, Nixon, Oulton, Perkins, and Van Dyke.

The Sergeant-at-Arms was despatched for the absentees.

On motion, further proceedings under the call were suspended.

Upon the adoption of the second subdivision of the resolution, as above, the ayes and noes were demanded, by Messrs. Gaskill, Shannon, and Abell, and taken, as follows :

AYES—Messrs. Birdseye, Cavis, Chamberlain, Gaskill, Harvey, Higby, Higgins, Kutz, McCullough, McNabb, Oulton, Porter of Santa Cruz, Powers, Saxton, Shannon, and Wallis—16.

NOES—Messrs. Anderson, Bogart, Holden, Lewis, and Shurtleff—5.

Mr. Baker paired with Mr. Harriman.

Mr. Booth was excused from voting.

Mr. Doll paired with Mr. Crane.

Mr. Parks paired with Mr. Van Dyke.

Mr. Vineyard paired with Mr. Clark.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Higby, for an Act for the relief of Stillman L. Magee, late Treasurer of the County of Calaveras.

Read first and second times, and referred to the Committee on Claims.

By Mr. Gaskill, for an Act to authorize the Board of Supervisors of Butte County to loan certain money.

Mr. Oulton moved a call of the Senate.

Carried.

Messrs. Abell, Anderson, Baker, Clark, Cunningham, Harriman, Hathaway, Higby, Lewis, Nixon, Pacheco, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Saxton, Van Dyke, and Whiting, were absent without leave.

On motion of Mr. Gaskill, further proceedings under the call were suspended.

By Mr. Oulton, for an Act to provide for the construction of the State Capitol Building in the City of Sacramento.

Read first and second times, and ordered on file.

By Mr. Higgins, for an Act relative to the terms of the District Courts in the Eleventh Judicial District of this State.

Read first and second times.

At half past two o'clock, p. m., on motion of Mr. Gaskill, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Monday, March 30th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of Saturday last read and approved.

The President presented a communication from the Attorney-General, in compliance with a concurrent resolution, in relation to the State's title to lands at Point San Quentin.

Referred to the Judiciary Committee, and the usual number of copies ordered printed.

PETITIONS.

Mr. Cavis presented a petition of citizens of the City of Columbia, petitioning for an amendment to their city charter.

Laid on the table.

Mr. Chamberlain presented a petition of officers of the San Joaquin Valley Agricultural Society and others, asking an appropriation.

Referred to the Finance Committee.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 21, relative to General Joseph Hooker ;

Also, Senate bill No. 31, an Act concerning trade marks and names ;

Also, Senate bill No. 41, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 88, an Act to define the boundary line between the Counties of Amador and El Dorado ;

Also, Senate bill No. 135, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty ;

And this day, March twenty-eighth, eighteen hundred and sixty-three, at one o'clock, p. m., delivered the above bills to the Governor for his approval.

HIGGINS, Chairman.

Mr. Wallis made the following report :

MR. PRESIDENT :—The Santa Clara delegation, having had under consideration Assembly bill No. 376, an Act concerning coyotes and animals found running at large in the County of Santa Clara, beg leave to report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

Mr. Gaskill verbally reported Senate bill No. 273, an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas, with amendments, and recommended its passage as amended.

Senate bill No. 273, above reported, considered, amended, read third time, and passed.

Mr. Shurtleff made the following report :

MR. PRESIDENT :—The Trinity delegation, to whom was referred Assembly bill No. 389, an Act to authorize the Superintendent of Public Schools of the County of Trinity to pay the claim of John H. Hough, report the same back, and recommend its passage.

SHURTLEFF, for Delegation.

Assembly bill No. 389, above reported, read third time, and passed.

Mr. Holden, Chairman of the Committee on Public Lands, made the following report :

MR. PRESIDENT :—The Committee on Public Lands, to whom was referred Senate bill No. 239, an Act to provide for the sale of the lands belonging to this State, have had the same under consideration, and find that the main features of the bill are to compile, re-arrange, and simplify the various laws of this State providing for the sale of lands.

The duties of all the officers in regard to the sale of lands are, by this bill, clearly defined, so that there can be no mistake in regard to the steps to be taken in purchasing and perfecting titles to land. It amends and simplifies the mode of paying for lands purchased of the State, so as to save the purchaser a useless expenditure of money, and secures the moneys, when paid, to be credited to the proper Fund. It, in addition, provides for the sale of the one hundred and fifty thousand acres of land for an Agricultural College, in the same manner as the five hundred thousand acre grant. It also provides for the Register issuing duplicate School Land Warrants in lieu of those lost or destroyed, or by other causes rendered useless.

Your committee recommend the adoption of the following amendments attached to the bill, when amendments are to be made, and the passage of the bill as amended.

HOLDEN, Chairman.

Senate bill No. 239, above reported, ordered to top of file for Wednesday, April first.

Mr. Gaskill verbally recommended the passage of Assembly bill No. 101, an Act to amend an Act entitled an Act in relation to the Board of Supervisors in and for Butte County, and concerning their powers, approved April tenth, eighteen hundred and sixty-two.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

OFFICE BOARD OF EXAMINERS,
Sacramento, March 28th, 1863. }

To the Honorable the Senate of California :

I herewith transmit to your honorable body the following claims, together with the opinion of the Board :

Martha Buckelew vs. The State of California, for clay at San Quentin, eight thousand dollars ;

E. R. Carpenter vs. The State of California, for professional services, three thousand two hundred and fifty dollars.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
March 28th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, passed Assembly bill No. 393, an Act to transfer certain funds ;

Also, this day, concurred in Senate amendment to section ten of Assembly bill No. 235, an Act to establish a Female Department in the County Jail of the City and County of San Francisco, and refused to concur in Senate amendment to section one thereof, and respectfully ask the Senate to recede.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1863. }

Mr. PRESIDENT :—The Assembly, on March twenty-eighth, passed Senate bill No. 129, an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital ;

Also, same day, passed Senate bill No. 290, an Act to amend an Act to create a Board of Supervisors in the counties of this State, approved March twentieth, eighteen hundred and fifty-five ;

Also, same day, passed Assembly bill No. 154, an Act to amend an Act entitled an Act to repeal an Act to incorporate the City of Sonoma, passed April fourth, eighteen hundred and fifty, approved April twenty-sixth, eighteen hundred and sixty-two ;

Also, same day, passed Assembly bill No. 297, an Act to amend an Act entitled an Act to limit the terms of leases, passed April twenty-first, eighteen hundred and fifty-one ;

Also, same day, passed Assembly bill No. 330, an Act to exclude traitors and alien enemies from the Courts of Justice in civil cases ;

Also, same day, passed Assembly bill No. 379, an Act extending the provisions of an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, to the County of San Diego ;

Also, same day, passed Assembly bill No. 427, an Act to extend the time for the completion of the San Francisco and Marysville Railroad ;

Also, same day, passed Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Senate receded from its amendment to Assembly bill No. 235, above reported.

Assembly bill No. 393, above reported, read first and second times, and referred to the Committee on Contingent Expenses.

The Senate refused to concur in the Assembly amendments to Senate bill No. 113, above reported.

Assembly bill No. 154, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 330, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 427, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 379, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 297, above reported, read first and second times, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Booth, for an Act providing for the government of the County of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

By Mr. McCullough, for an Act to amend an Act entitled an Act concerning roads and highways in the County of Mariposa, approved April tenth, eighteen hundred and sixty-two.

Read first and second times, rules suspended, bill considered engrossed, read third time, and passed.

By Mr. Gaskill, for an Act authorizing the Board of Supervisors of Butte County to appropriate certain money.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Higby, for an Act to regulate the fees of certain officers in Calaveras County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Shurtleff, for an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress.

Read first and second times.

On the motion to refer to the Committee on Elections, the ayes and noes were demanded, by Messrs. Shurtleff, Doll, and Shannon, and taken, with the following result:

AYES—Messrs. Anderson, Booth, Gaskill, Higby, Higgins, McNabb, Porter of Santa Cruz, Saxton, Shannon, and Wallis—10.

NOES—Messrs. Birdseye, Bogart, Doll, Harvey, Holden, Lewis, McCullough, Oulton, Parks, Powers, Shurtleff, and Vineyard—12.

So the motion was lost.

On the motion to refer to the Judiciary Committee, the ayes and noes were demanded, by Messrs. Shurtleff, Doll, and McCullough, and taken, with the following result :

AYES—Messrs. Anderson, Booth, Cavis, Chamberlain, Gaskill, Harvey, Higgins, Kutz, McNabb, Oulton, Parks, Porter of Santa Cruz, Powers, Saxton, Shannon, and Wallis—16.

NOES—Messrs. Baker, Bogart, Doll, Higby, Holden, Lewis, McCullough, Shurtleff, and Vineyard—9.

So the bill was referred.

By Mr. Oulton, for an Act to provide for an increase of pay of volunteers in the service of the United States, mustered into service in this State, and to create a Fund for the payment of the same.

Read first and second times, and placed on file.

By Mr. Wallis, for an Act to authorize the Western Pacific Railroad Company to change the *termini* and route of their railroad, and other matters relating thereto.

Read first and second times, and placed on file.

By Mr. Porter of Santa Cruz, for an Act to repeal an Act entitled an Act to establish the boundary line between the Counties of Monterey and San Louis Obispo, approved May thirteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Monterey and San Louis Obispo delegations.

Assembly bill No. 123, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board, was, on motion of Mr. Gaskill, taken up, and indefinitely postponed.

GENERAL FILE.

Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and the amendments to the same, approved April eleventh, eighteen hundred and fifty-nine—read third time, and passed.

Senate bill No. 119, an Act concerning records of District Courts—the Senate concurred in the Assembly amendments.

On motion of Mr. Bogart, all absentees were granted one day leave of absence.

Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California—amended.

Mr. Kutz moved a call of the Senate.

Carried.

The following Senators were absent without leave: Messrs. Cavis, Doll, Gaskill, McNabb, Porter of Santa Cruz, and Wallis.

On motion of Mr. Shannon, further proceedings under the call were suspended.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Holden, Shannon, and Parks, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Cavis,

Chamberlain, Doll, Harvey, Higby, Higgins, McNabb, Saxton, Shannon, and Shurtleff—15.

Noes—Messrs. Holden, Kutz, Lewis, McCullough, Oulton, Parks, and Powers—7.

So the bill passed, and the title was amended.

Senate bill No. 270, an Act for the preservation of information relating to the history of this State—indefinitely postponed.

Mr. Birdseye gave notice of a motion to reconsider the vote by which the above bill was postponed.

Mr. McCullough moved a call of the Senate.

Carried.

Absent without leave: Messrs. Nixon, Saxton, and Wallis.

On motion of Mr. Parks, further proceedings under the call were suspended.

Senate bill No. 196, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Act amendatory thereof—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 255, an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 201—returned to file.

Assembly bill No. 60—returned to file.

Senate bill No. 264, an Act to extend the provisions of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to grant the right of way for the construction of a turnpike road to the County of Monterey—read third time, and passed.

FURTHER INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Doll, for an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Harvey, for an Act to extend the time for the completion of a railroad in Contra Costa County.

Read first and second times, and referred to the Contra Costa delegation.

By Mr. Cavis, for an Act amendatory of an Act amendatory of and supplementary to an Act to incorporate the town of Columbia, in the County of Tuolumne, approved April ninth, eighteen hundred and fifty-seven, approved March twenty-fifth, eighteen hundred and fifty-eight.

Read first and second times, rules suspended; considered engrossed, read third time, and passed.

GENERAL FILE RESUMED.

Senate bill No. 275, an Act to amend an Act entitled an Act concerning Judges of the Plains, (Jueces del Campo,) and defining their duties, passed April twenty-fifth, eighteen hundred and fifty-one—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 386, an Act to change the name of Cincinnatus Schultz—read third time, and passed.

Mr. McNabb gave notice of a motion to reconsider the vote by which Assembly bill No. 123 was indefinitely postponed.

Assembly bill No. 335, an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April tenth, eighteen hundred and sixty-two—read third time, and passed.

At two o'clock and twenty minutes, P. M., on motion of Mr. Lewis, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Tuesday, March 31st, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Journal of yesterday read and approved.

Mr. Chamberlain offered a concurrent resolution empowering the Enrolling Clerk to make a clerical correction in Senate bill No. 235.

Adopted.

PETITIONS.

Mr. Clark presented a petition of merchants of San Francisco, for passage of Senate bill No. 268.

Referred to Judiciary Committee.

Mr. Cavis presented a petition of citizens of Columbia, asking for change of city charter.

Ordered with Senate bill No. 314.

REPORTS.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report :

MR. PRESIDENT :—The Committee on Contingent Expenses have examined, and found correct, the following bills :

Sacramento Union... ..	\$103 00
Spirit of the Times	18 00
George I. Lytle, for sundries and sundry newspapers.....	358 35
George I. Lytle, for rent of rooms for Clerks and Committees..	140 00

The Committee recommend the adoption of the following resolution :

Resolved, That the Controllor of State be and he is hereby required to draw his warrant in favor of the above parties, payable out of the Contingent Fund of the Senate.

They have had under consideration Assembly bill No. 393, an Act to transfer certain funds, and recommend the adoption of the following substitute for the first section, and the passage of the bill :

"Section 1. The sum of six thousand dollars is hereby transferred from the Legislative Fund, and the same is hereby appropriated as follows: Four thousand dollars to pay the contingent expenses of the Assembly, and two thousand dollars to pay the contingent expenses of the Senate."

Also, have had under consideration resolution concerning the payment of J. W. Scott and B. Finnerty, for services as Watchmen, and report the same back, with an amendment, and recommend its passage as amended.

Also, have had under consideration resolution relative to paying H. Clock, as Assistant Paper-Folder, etc., and recommend the adoption of the following substitute therefor :

Resolved, That the Controllor of State is hereby required to draw his warrant in favor of H. Clock, for the sum of sixty dollars, for services as Assistant Fireman of the Senate during the fourteenth session of the Legislature, payable out of the Contingent Fund of the Senate.

The Committee recommend that Philip Groves be allowed to withdraw his bill for services as Watchman, together with the resolution accompanying the same.

POWERS, Chairman.

The above recommendations were all adopted except that in regard to Assembly bill No. 393.

Mr. Gaskill made a verbal report, reporting back Senate bill No. 251, with the recommendation that it be referred to the Judiciary Committee.

So referred.

Mr. Parks, Chairman of the Committee on Public Morals, made the following report :

MR. PRESIDENT:—Your Committee on Public Morals, to whom was referred Assembly bill No. 285, an Act to regulate and license places of public amusement, have had the same under consideration, and beg leave to report it back, and recommend its passage.

PARKS, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 223, an Act conferring fur-

ther powers upon the Board of Levee Commissioners of the City of Sacramento;

Also, Senate bill No. 298, an Act concerning the office of County Clerk of the County of Yolo;

Also, Senate bill No. 300, an Act concerning the office of District Assessor in the County of Yolo.

KUTZ, for Committee. "

Mr. Holden, Chairman of the Committee on Public Lands, made the following report:

MR. PRESIDENT:—The Committee on Public Lands, to whom was referred Senate bill No. 63, have had the same under consideration, and find that the objects sought to be accomplished by the bill are fully provided for in Senate bill No. 239, now before the Senate. We therefore recommend that the bill lie upon the table, pending the consideration of said bill.

HOLDEN, Chairman.

Senate bill No. 63, above reported, laid on the table.

Mr. Powers presented a communication from the Surveyor-General, relating to the survey of Point San Quentin.

Referred to the Finance Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
March 30th, 1863. }

MR. PRESIDENT:—The Assembly, on March twenty-eighth, passed Assembly bill No. 306, an Act to amend an Act entitled an Act to grant the right of way for a railroad track within the corporate limits of the City and County of San Francisco, approved May fourteenth, eighteen hundred and sixty-two;

Also, same day, passed Assembly bill No. 349, an Act supplementary to an Act entitled an Act to authorize John S. Williams and his associates to construct a wharf at the foot of Franklin street and Van Ness avenue, in the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
March 31st, 1863. }

MR. PRESIDENT:—The Assembly, on March thirtieth, passed Senate bill No. 55, an Act making an appropriation for the payment of the expenses growing out of the indictment and trial of Horace Smith;

Also, on March twenty-eighth, amended and passed Senate bill No. 197, an Act to amend an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to the State by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one;

Also, on March thirtieth, passed Senate bill No. 299, an Act concerning official publications for the County of Yolo;

Also, on March twenty-eighth, passed Assembly concurrent resolution No. 35, relative to the boundary line of the State;

Also, same day, passed Assembly bill No. 191, an Act to repeal an Act entitled an Act concerning roads and highways in the County of Alameda;

Also, same day, passed Assembly bill No. 261, an Act to extend the provisions of An Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two;

Also, same day, passed Assembly bill No. 264, an Act authorizing the Auditor of San Bernardino County to make out a delinquent tax list;

Also, on March thirtieth, passed Assembly bill No. 280, an Act to authorize the re-location of the route of the railroad of the Central Pacific Railroad Company of California, and other matters relating thereto;

Also, on March twenty-seventh, passed Assembly bill No. 408, an Act granting the right of way over certain lands in this State, in the County of El Dorado, for the construction of a wagon road;

Also, same day, passed Assembly bill 409, an Act for the incorporation of the town of Dutch Flat, in Placer County;

Also, on March thirtieth, refused to concur in Senate amendments to Assembly bill No. 144, an Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, and ask the Senate to recede from such amendments.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 349, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 306, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 409, above reported, read first and second times, and referred to the Placer delegation.

Assembly bill No. 408, above reported, read first and second times, and referred to the El Dorado delegation.

Assembly bill No. 280, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 264, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 261, above reported, read first and second times, and referred to Judiciary Committee.

Assembly bill No. 191, above reported, read first and second times, and referred to Judiciary Committee.

Assembly concurrent resolution No. 35, above reported, relative to the boundary line of the State, read first and second times, and ordered on file.

The Senate refused to recede from its amendments to Assembly bill No. 144, above reported, and appointed, as Committee of Conference on the part of the Senate. Messrs. Perkins, McNabb, and Doll.

Senate bill No. 197, above reported, referred to Committee on Swamp and Overflowed Lands.

A message was received from the Governor, relating to the eastern boundary line. (For the message and accompanying documents, see Appendix.)

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Crane, for an Act supplementary to and to amend an Act entitled an Act to amend an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Alameda delegation.

Also, for an Act to authorize the San Francisco and Alameda Railroad Company to construct and maintain a wharf at the western end of the Encinal of San Antonio, in Alameda County.

Read first and second times, and referred to the Alameda delegation.

By Mr. Oulton, for an Act amendatory of and supplementary to an Act entitled an Act amendatory of an Act entitled an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties in this State, approved April twenty-fifth, eighteen hundred and fifty-seven, approved April seventh, eighteen hundred and fifty-nine, approved April twenty-seventh, eighteen hundred and sixty, approved May sixteenth, eighteen hundred and sixty-one, and an Act amendatory of and supplemental to the said Acts, approved May twelfth, eighteen hundred and sixty-two.

Read first and second times, and ordered on file.

By Mr. Higby, for an Act to amend an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and referred to Committee on Military Affairs.

Also, for an Act to make certain offices in the County of Calaveras salaried offices.

Read first and second times, and referred to the Calaveras delegation.

By Mr. Nixon, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to Committee on Finance.

Also, for an Act to provide for the levying of a tax, and for the construction of a wagon road from the town of Washington, in Yolo County, to a point at or near the Tule House, in said county.

Read first and second times, and referred to Sacramento and Yolo delegations.

By Mr. Hathaway, for an Act to amend an Act entitled an Act to give the proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to change the name of William Henry English.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Cunningham, for an Act to authorize the election of a Deputy Assessor for the City of Marysville.

Read first and second times, rules suspended, read third time, and passed.

By Mr. Birdseye, for an Act to protect the creditors of corporations.
Read first and second times, and referred to the Committee on Corporations.

By Mr. Shannon, for an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for purposes therein named.

Read first and second times, and placed on file.

By Mr. Porter of Santa Cruz, for an Act to provide for the leasing and maintenance of wharves belonging to this State in the harbor of San Francisco.

Read first and second times, and referred to a Committee of the Whole, to be considered on Friday, April third, at two o'clock, P. M.

Also, for an Act to provide for the protection of the water front of the City of San Francisco.

Read first and second times, and referred to a Committee of the Whole, to be considered on Friday, April third, at two o'clock, P. M.

Assembly bill No. 393, an Act to transfer certain funds, was taken up, amended, read third time, and passed.

GENERAL FILE.

Senate bill No. 90, an Act to provide for the improvement and protection of wharves, docks, and water fronts in the City and County of San Francisco.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Oulton, Powers, and Gaskill, and taken, with the following result :

AYES—Messrs. Clark, Harriman, and Harvey—3.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Cavis, Chamberlain, Crane, Cunningham, Doll, Gaskill, Harvey, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Santa Cruz, Powers, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—28.

The motion to postpone was lost, and the bill ordered to top of file for Friday, April third.

Senate bill No. 257, an Act amendatory of and supplemental to an Act entitled an Act for the education of the indigent Deaf, Dumb, and Blind in the State of California, approved April eighteenth, eighteen hundred hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one—ordered to top of file for Wednesday, April first.

Senate bill No. 74, an Act to authorize the construction of floating dry docks in the harbor of San Francisco—substitute adopted.

On the motion to place the bill at top of file for Friday, April third, the ayes and noes were demanded, by Messrs. Perkins, Whiting, and Hathaway, and taken, with the following result :

AYES—Messrs. Booth, Cavis, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higgins, Kutz, Oulton, Parks, Shannon, Wallis, and Whiting—15.

NOES—Messrs. Birdseye, Bogart, Chamberlain, Crane, Doll, Holden, McNabb, Nixon, Pacheco, Perkins, Porter of Santa Cruz, and Powers—12.

Senate bill No. 146, an Act concerning the Insane Asylum of Califor-

nia, and to levy a tax therefor—further amended, ordered engrossed, and read third time.

Mr. Doll introduced a bill for an Act supplementary and amendatory of an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Mr. Birdseye, pursuant to notice, moved to reconsider the vote by which, on yesterday, the Senate indefinitely postponed Senate bill No. 270, an Act for the preservation of information relating to the history of this State.

Motion to reconsider was made the special order for Wednesday, April first, at two o'clock, P. M.

Mr. McNabb, pursuant to notice, now moved to reconsider the vote by which the Senate, on yesterday, indefinitely postponed Senate bill No. 123, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board.

Motion to reconsider carried, and the bill ordered to top of file for Wednesday, April first.

Mr. Van Dyke introduced a bill for an Act to provide for the submission of the proposed Amendments to the Constitution of the State, as proposed by the Legislature of eighteen hundred and sixty-two, and agreed to by the Legislature of eighteen hundred and sixty-three, to the people, at the next general election.

Read first and second times, and referred to the Judiciary Committee.

At five o'clock, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Wednesday, April 1st, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and

found correctly enrolled, Senate bill No. 144, an Act to amend an Act entitled an Act to grant H. J. May, Charles M. Baxter, Wm. Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two;

Also, Senate bill No. 154, an Act to amend an Act to limit the time for the presentation of claims against counties, and for receiving payment for the same;

Also, Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco;

Also, Senate bill No. 179, an Act to amend an Act entitled an Act concerning passengers arriving in the ports of this State, approved May third, eighteen hundred and fifty-two;

Also, Senate bill No. 221, an Act granting to parties therein named the right to construct a wagon road from Cloverdale, in Sonoma County, to the McDonald House, in Mendocino County, and to collect tolls for travelling thereon;

Also, Senate bill No. 276, an Act to authorize the California Central Railroad Company to hold an election;

And that said bills were, this day, March thirty-first, eighteen hundred and sixty-three, at eleven o'clock and thirty-five minutes, A. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one, report the same back, and recommend it be referred to the San Francisco delegation;

Also, Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, report the same back amended, and recommend its passage as amended;

Also, Assembly bill No. 297, an Act to amend an Act entitled an Act to limit the terms of leases, passed April twenty-first, eighteen hundred and fifty-one, report the same back, and recommend its indefinite postponement.

VAN DYKE, Chairman.

Senate bill No. 294, above reported, referred to the San Francisco delegation.

Senate bill No. 316, above reported, ordered to top of file for Saturday, April fourth.

Mr. Clark, from the Committee on Commerce and Navigation, made a verbal report, recommending the passage of Assembly bill No. 349, an Act supplementary to an Act entitled an Act to authorize John S. Williams to construct a wharf at the foot of Franklin street and Van Ness avenue, in the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two.

Assembly bill No. 349, above reported, read third time, and passed.

Mr. Nixon, Chairman of the Committee on Public Buildings, made the following report:

MR. PRESIDENT:—The Committee on Public Buildings have had under consideration Senate bill No. 236, and report the same back, with an amendment, and recommend its passage as amended.

NIXON, Chairman.

Senate bill No. 236, above reported, was taken up, and considered.

Upon the passage of the bill, the ayes and noes were demanded, by Messrs. Oulton, Perkins, and Chamberlain, and taken, with the following result:

AYES—Messrs. Baker, Birdseye, Booth, Cavis, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, McNabb, Nixon, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Wallis, and Whiting—25.

NOES—Messrs. Bogart, Chamberlain, Doll, Higgins, Holden, Kutz, McCullough, Oulton, Van Dyke, and Vineyard—10.

Mr. Kutz, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California;

Also, Senate bill No. 273, an Act authorizing J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas.

KUTZ, for Committee.

Mr. Perkins, Chairman of the Finance Committee, made the following report:

MR. PRESIDENT:—The Committee on Finance, to whom was referred Senate bill No. 277, an Act making appropriation for the Contingent Fund of the Senate for the thirteenth session of the Legislature, have had the same under consideration, report the same back, and recommend that it be indefinitely postponed, on the ground that its provisions are to be reported in the Deficiency Bill;

Also, have had under consideration Assembly bill No. 199, an Act for the relief of Martin Winslow, and report the same back, without recommendation;

Also, Assembly bill No. 381, an Act fixing the mileage of the several County Treasurers of this State, report the same back, and recommend that it be indefinitely postponed;

Also, Senate bill No. 292, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and report the same back, without recommendation;

Also, Assembly bill No. 371, an Act to amend an Act entitled an Act changing the time of assessing the value of real and personal property, and collecting the taxes levied thereon for State and county purposes, in the County of Sierra, passed April tenth, eighteen hundred and sixty-two, report the same back, and recommend the passage of the bill;

Also, Assembly bill No. 257, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, report the same back, with amendment, and recommend the passage of the bill as amended.

PERKINS, Chairman.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

Mr. PRESIDENT :—The Committee on Finance, to whom was referred Assembly bill No. 86, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May fifteenth, eighteen hundred and fifty-four, report back the bill, with amendments, and recommend the passage of the bill as amended.

PERKINS, Chairman.

Assembly bill No. 86, above reported, taken up, considered, amended, read third time, and passed.

Mr. Crane made the following report :

Mr. PRESIDENT :—The undersigned, to whom was referred Assembly bill No. 96, an Act to ratify and confirm a certain ordinance passed by the Common Council of the City of Oakland, and approved by the Mayor of said city November twentieth, eighteen hundred and sixty one, having had the same under consideration, reports the same back, without amendment, and recommends its passage ;

Also, Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct a wharf at the western end of the Encinal of San Antonio, in Alameda County, reports the same back, without amendment, and recommends its passage ;

Also, Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two, reports the same back, with an amendment, and recommends its passage, as amended.

CRANE.

Mr. Harvey made the following report :

Mr. PRESIDENT :—The El Dorado delegation, to whom was referred Assembly bill No. 408, an Act granting the right of way over certain lands in this State in the County of El Dorado for the construction of a wagon road, have had the same under consideration, and report the same back, with amendments, and recommend its passage as amended.

HARVEY, for Delegation.

GENERAL FILE.

Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof.

Senate bill No. 270, an Act for the preservation of information relating to the history of this State—made the special order for Thursday, April second.

The consideration of Assembly bill No. 197, was resumed, and bill amended.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Higby, Oulton, and Saxton, and taken, with the following result :

AYES—Messrs. Anderson, Chamberlain, Clark, Crane, Gaskill, Higby, McCullough, McNabb, Saxton, and Shannon—10.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Cunningham, Doll, Harriman, Harvey, Hathaway, Holden, Kutz, Lewis, Nixon, Oulton, Parks, Powers, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—21.

The bill was further amended in Committee of the Whole, and on concurrence in said amendments, in the Senate, the ayes and noes were demanded, by Messrs. Lewis, Wallis, and Parks, and taken, with the following result :

AYES—Messrs. Anderson, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harvey, Higby, McCullough, McNabb, Porter of Contra Costa, Saxton, Shannon, Wallis, and Whiting—16.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Doll, Harriman, Hathaway, Holden, Lewis, Nixon, Oulton, Parks, Powers, Shurtleff, Van Dyke, and Vineyard—16.

So the Senate refused to concur in the amendments.

The bill was read third time, and on its passage, the ayes and noes were demanded, by Messrs. Parks, Higby, and Lewis, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Cunningham, Doll, Harriman, Harvey, Hathaway, Holden, Lewis, Nixon, Oulton, Parks, Powers, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—21.

NOES—Messrs. Cavis, Chamberlain, Clark, Crane, Gaskill, Higby, McCullough, McNabb, Saxton, and Shannon—10.

So the bill passed.

Mr. Wallis gave notice of a motion to reconsider.

Senate bill No. 257, an Act amendatory of and supplemental to an Act entitled an Act supplemental to an Act for the education and care of the indigent Deaf, Dumb, and Blind, in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one.

Pending the consideration, Mr. Powers moved a call of the Senate.

Carried.

Absent without leave—Messrs. Abell, Anderson, Baker, Booth, Higgins, Lewis, Perkins, and Porter of Santa Cruz.

There being a quorum present, on motion of Mr. Birdseye, further proceedings under the call were suspended.

On the further consideration of the bill, Mr. Porter of Contra Costa moved that the bill be re-committed to the Committee on Public Buildings, with instructions to report a bill providing bonds for this and other public buildings.

Carried.

On motion of Mr. Parks, the motion to re-commit, as above, was re-considered, and the question again being on the motion to re-commit, was taken.

Lost.

On ordering the bill engrossed, and read third time, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Parks, and taken, with the following result:

AYES—Messrs. Bogart, Nixon, Oulton, Pacheco, Parks, Saxton, Shannon, and Wallis—8.

NOES—Messrs. Birdseye, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Harvey, Higby, Kutz, McCullough, Perkins, Powers, Shurtleff, Van Dyke, and Vineyard—15.

Mr. Perkins gave notice of reconsideration.

At five o'clock and twenty minutes, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, April 2d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

Mr. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 325, an Act to amend an Act entitled an Act to give to the proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight, having had the same under consideration, report the same back, and recommend its passage.

Also, Senate bill No. 293, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, report it back, amended, and recommend its passage as amended;

Also, Senate bill No. 192, an Act to exempt the homestead property of

General John A. Sutter from taxation, report it back, and recommend it do not pass ;

Also, Assembly bill No. 261, an Act to extend the provisions of an Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two, report it back, and recommend that it be referred to the Tulare delegation ;

Also, Assembly bill No. 191, an Act to repeal a part of section six of an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, report it back, and recommend that it be referred to the Alameda delegation.

VAN DYKE, Chairman.

Assembly bill No. 261, above reported, referred to the Tulare delegation.

Assembly bill No. 191, above reported, referred to the Alameda delegation.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration the claim of Martha Buckelew, against the State, for eight thousand one hundred dollars, and report the same back, and recommend that it be rejected. In reporting this claim back, the Committee take the opportunity of expressing their regret that the Board of Examiners should adopt the plan of arguing both for and against such claims without coming to any conclusion in regard to them ; for although it avoids responsibility on their part, it must result in bringing claims before the Legislature that would otherwise be withdrawn upon an adverse report from the Board of Examiners.

OULTON, Chairman.

Mr. Clark made the following report :

MR. PRESIDENT :—The San Francisco delegation, to whom was referred Assembly bill No. 344, an Act to confer further powers upon the Board of Education of the City and County of San Francisco, have considered the same, and ask leave to report it back, with a recommendation that the Senate pass the same.

CLARK, for Delegation.

Assembly bill No. 344, above reported, read third time, and passed.

Mr. Porter of Contra Costa made a verbal report, recommending passage of Senate bill No. 315, an Act to extend the time for the construction of a railroad in Contra Costa County.

Senate bill No. 315, above reported, considered engrossed, read third time, and passed.

Mr. Perkins made a verbal report, recommending passage of Assembly bill No. 206, an Act to amend an Act to grant the right of way for a railroad track within the corporate limits of the City and County of San Francisco, approved May fourteenth, eighteen hundred and sixty-two.

Assembly bill No. 206, above reported, read third time, and passed.

Mr. Perkins moved to reconsider the vote by which the Senate, on yesterday, refused to engross Senate bill No. 257.

Upon which, the ayes and noes were demanded, by Messrs. Powers, Wallis, and Gaskill, and taken, with the following result :

AYES—Messrs. Baker, Birdseye, Bogart, Cavis, Chamberlain, Clark, Crane, Harvey, Higgins, Holden, Kutz, McCullough, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Vineyard, Wallis, and Whiting—26.

NOES—Messrs. Gaskill, Highy, McNabb, and Van Dyke—26.

The bill was referred to the Committee on Public Buildings.

Mr. Wallis moved to reconsider the vote by which the Senate, on yesterday, passed Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof.

Upon which, the ayes and noes were demanded, by Messrs. Lewis, Parks, and Shurtleff, and taken, with the following result :

AYES—Messrs. Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Highy, Kutz, McCullough, Porter of Contra Costa, Saxton, and Shannon—12.

NOES—Messrs. Anderson, Baker, Birdseye, Bogart, Booth, Doll, Harriman, Hathaway, Holden, Lewis, Nixon, Oulton, Parks, Powers, Shurtleff, Van Dyke, Vineyard, and Wallis—18.

Mr. Perkins, from a Committee of Free Conference, made the following report :

MR. PRESIDENT:—Your Committee of Free Conference appointed to consult upon Assembly bill No. 144, have adopted Senate amendments to section first, striking out, however, the word "heretofore," after the words "unmarried persons," and ask the adoption of this report.

PERKINS,

Chairman of Senate Committee.

DUDLEY of Solano,

Chairman of Assembly Committee.

On the adoption of the report, the ayes and noes were demanded, by Messrs. Clark, Gaskill, and Parks, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Chamberlain, Crane, Cunningham, Doll, Hathaway, Highy, Holden, Lewis, McNabb, Oulton, Pacheco, Parks, Perkins, Saxton, Van Dyke, Vineyard, and Whiting—20.

NOES—Messrs. Booth, Cavis, Clark, Gaskill, Harriman, Harvey, Higgins, Kutz, McCullough, Porter of Contra Costa, Powers, Shurtleff, and Wallis—13.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 1st, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 101, an Act to amend an Act entitled an Act concerning the receipts and expenditures of the State, passed February seventh, eighteen hundred and fifty-seven ;

Also, Senate bill No. 67, an Act for the relief of purchasers of Swamp and Overflowed, Salt Marsh, and Tide Lands ;

Also, Senate bill No. 120, an Act authorizing the Board of Supervisors for Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Clara Eagle and Marble Mines Road;

Also, Senate bill No. 168, an Act granting the right to construct and maintain a bridge across the American River, near Rattlesnake Bar, in the Counties of Placer and El Dorado;

Also, Senate bill No. 68, an Act authorizing the construction of a wagon road over the Coast Range of Mountains, in the County of San Luis Obispo;

Also, Senate bill No. 163, an Act to change the name of Victor Desere to William Henry Roberts;

Also, Senate bill No. 156, an Act to amend an Act entitled an Act in relation to public roads in the County of El Dorado, and to the Road Fund of said county, approved February twenty-seventh, eighteen hundred and sixty-two.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
March 31st, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Senate bill No. 112, an Act to define the boundary line of El Dorado County;

Also, March twenty-eighth, passed Assembly bill No. 16, an Act to extend the rights and privileges of the San Francisco City Water Works;

Also, March thirty-first, passed Assembly bill No. 183, an Act to construct a turnpike road in Yolo County, and also to maintain a ferry;

Also, March twenty-eighth, passed Assembly bill No. 382, an Act to grant to the Bidwell Bridge Company the right to keep and maintain their present bridge across the Feather River at the Town of Bidwell, Butte County, in this State, as a toll bridge, and to reconstruct the same;

Also, March thirtieth, passed Assembly bill No. 383, an Act to appropriate money to pay the claim of F. F. Fargo;

Also, March twenty-eighth, passed Assembly bill No. 428, an Act to regulate the fees in office in the County of Contra Costa.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 1st, 1863. }

MR. PRESIDENT:—The Assembly, March thirty-first, adopted Senate concurrent resolution No. 22, relating to Senate bill No. 235;

Also, April first, amended and passed Senate bill No. 79, an Act to amend an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two;

Also, March thirty-first, the House refused to recede from Assembly amendments to Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, April first, passed Senate bill No. 188, an Act to confer further powers upon the Board of Supervisors of Mendocino County;

Also, same day, passed Senate bill No. 262, an Act to incorporate the City of Sacramento ;

Also, same day, passed Senate bill No. 269, an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax ;

Also, same day, passed Senate bill No. 273, an Act authorizing J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas ;

Also, March thirty-first, passed Senate bill No. 295, an Act supplemental to and explanatory of an Act entitled an Act to allow James E. Nuttman, Marcus Harlow, and their assigns, to construct and maintain a toll road in the County of San Mateo ;

Also, April first, passed Senate bill No. 298, an Act concerning the office of County Clerk of the County of Yolo ;

Also, same day, passed Senate bill No. 300, an Act concerning the office of District Assessor in the County of Yolo ;

Also, same day, passed Senate bill No. 307, an Act to amend an Act entitled an Act concerning roads and highways in the County of Mariposa, approved April tenth, eighteen hundred and sixty-two ;

Also, same day, passed Senate bill No. 309, an Act to regulate the fees of officers in the County of Calaveras ;

Also, March thirty-first, passed Senate bill No. 314, an Act amendatory of and supplementary to an Act to incorporate the Town of Columbia, in the County of Tuolumne, approved April ninth, eighteen hundred and fifty-seven, approved March twenty-fifth, eighteen hundred and fifty-eight ;

Also, April first, passed Senate bill No. 326, an Act to change the name of William Henry English ;

Also, same day, passed Senate bill No. 331, an Act supplementary and amendatory of an Act to provide for the construction of a wagon road by the Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three ;

Also, March twenty-third, passed Assembly bill No. 314, an Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one ;

Also, April first, passed Assembly bill No. 234, an Act to provide for the payment of certain legal expenses incurred by the State.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 1st, 1863. }

MR. PRESIDENT :—The Assembly have passed Assembly bill No. 421, an Act for the preservation of seals or sea lions at or near the entrance to the harbor of San Francisco ;

Also, Assembly bill No. 444, an Act for the relief of J. C. Gilfallan ;

Also, Assembly bill No. 288, an Act to receive and pay for certain books relating to the war debt of this State ;

Also, Assembly bill No. 336, an Act to authorize and require the County Superintendent of Common Schools of Solano County to appropriate money to Rio Vista District, in said county ;

Also, Assembly bill No. 263, an Act to repeal an Act entitled an Act fixing the compensation of the County Auditor of Tulare County, approved April nineteenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 436, an Act to authorize the Board of Supervi-

sors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Railroad Company, and to provide for the payment of the same, and other matters relative thereto ;

Also, Assembly bill No. 262, an Act to repeal an Act entitled an Act to make county warrants receivable in payment of taxes in Tulare County ;

Also, Assembly bill No. 256, an Act to provide for furnishing the county officers of Amador County with the Statutes of the State of California and the Supreme Court Reports ;

Also, Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, A. D. eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 16, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 183, above reported, read first and second times, and referred to the Yolo delegation.

Assembly bill No. 382, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 383, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 428, above reported, read first and second times, and referred to the Contra Costa delegation.

Assembly bill No. 314, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 234, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 421, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 444, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 288, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 336, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 262, above reported, read first and second times, and referred to the Tulare delegation.

Assembly bill No. 263, above reported, read first and second times, and referred to the Tulare delegation.

Assembly bill No. 436, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 256, above reported, read first and second times, and referred to the Amador delegation.

Assembly bill No. 354, above reported, read first and second times, and referred to the Finance Committee.

Senate bill No. 79, above reported, Assembly amendments concurred in.

Senate appointed as a Committee of Free Conference, on the disagree-

ment between the two Houses on Senate bill No. 113, above reported, Messrs. Van Dyke, McCullough, and Wallis.

Senate bill No. 188, above reported, referred to the Mendocino delegation.

Senate bill No. 285, an Act to enable Jesus Maria Soto and C. Mariano to sell and convey or make partition of their real estate, and removing their disability from nonage—rules suspended, considered engrossed, read third time, and passed.

Mr. Parks, by leave, introduced a bill for an Act to direct the Controller of State in drawing his warrants.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Mr. Holden, by leave, introduced a bill for an Act fixing the time for holding the terms of the District Court in Lake County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Senate bill No. 239, an Act to provide for the sale of all the lands belonging to the State—amended, ordered engrossed, and read third time.

The special order (to reconsider the vote by which Senate bill No. 270, an Act for the preservation of information relating to the history of the State) was taken up.

On the motion to indefinitely postpone the motion to reconsider, the ayes and noes were demanded, by Messrs. Wallis, Oulton, and Chamberlain, and taken, with the following result :

AYES—Messrs. Baker, Booth, Crane, Harvey, Holden, Kutz, Lewis, McCullough, McNabb, Oulton, Parks, Porter of Contra Costa, and Van Dyke—13.

NOES—Messrs. Birdseye, Bogart, Cavis, Chamberlain, Clark, Cunningham, Doll, Harriman, Hathaway, Higby, Pacheco, Perkins, Powers, Shannon, Shurtleff, Wallis, and Whiting—17.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Birdseye, Gaskill, and Oulton, and taken, with the following result :

AYES—Messrs. Baker, Birdseye, Bogart, Booth, Crane, Cunningham, Gaskill, Harvey, Higby, Holden, Kutz, Lewis, McNabb, Parks, Porter of Contra Costa, Powers, and Van Dyke—17.

NOES—Messrs. Clark, Doll, Harriman, Hathaway, Oulton, Pacheco, Perkins, Shannon, Shurtleff, Wallis, and Whiting—11.

So the bill was indefinitely postponed.

Assembly bill No. 123, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board.

Mr. Perkins moved to amend the fourteenth subdivision of the first section by striking out all after the word "Fund," in the second line, to the word "to," before the words "Clerk of the Board of Supervisors."

On which, the ayes and noes were demanded, by Messrs. Perkins, Hathaway, and Whiting, and taken, with the following result :

AYES—Messrs. Chamberlain, Crane, Kutz, McNabb, Perkins, Powers, Shannon, Vineyard, and Wallis—9.

NOES—Messrs. Birdseye, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, McCullough, Porter of Contra Costa, Shurtleff, Van Dyke, and Whiting—14.

Mr. Perkins moved to amend by striking out the twenty-fourth subdivision of the first section.

On which, the ayes and noes were demanded, by Messrs. Perkins, Hathaway, and Powers, and taken, with the following result:

AYES—Messrs. Birdseye, Chamberlain, Cunningham, Kutz, McNabb, Parks, Perkins, Powers, Vineyard, and Wallis—10.

NOES—Messrs. Clark, Crane, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, McCullough, Porter of Contra Costa, Shannon, Shurtleff, Van Dyke, and Whiting—14.

The bill was then read third time, and passed.

Mr. Perkins gave notice of a motion to reconsider.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
April 2d, 1863. }

Mr. PRESIDENT:—The Assembly, on the first of April, passed Assembly bill No. 462, an Act amendatory of an Act entitled an Act to provide for condemning or purchasing certain lands adjoining the State Prison grounds, at San Quentin, for State Prison purposes, approved April fifteenth, eighteen hundred and fifty-nine.

H. G. WORTHINGTON,
Chief Clerk.

Assembly bill No. 462, above reported, read first and second times, and referred to the Judiciary Committee.

Mr. Perkins presented a resolution relative to printing a certain work. Referred to the Committee on Education.

At four o'clock and fifty minutes, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Friday, April 3d, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Assembly bill No. 462, an Act amendatory of an Act entitled an Act to provide for condemning or purchasing certain lands adjoining the State Prison grounds, at San Quentin, for State Prison purposes, approved April fifteenth, eighteen hundred and fifty-nine, having had the same under consideration, report it back, and recommend its passage.

VAN DYKE, Chairman.

Assembly bill No. 462, above reported, was taken up, rules suspended, read third time, and passed.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :—Your Committee on Agriculture, to whom were referred sundry bills, ask leave to report as follows :

Senate bill No. 23, an Act to provide for the retention of the hides of cattle killed and slaughtered in San Diego County, may be indefinitely postponed, as its object is provided for in a bill already passed.

Assembly bill No. 41, an Act to extend the provisions of an Act entitled an Act concerning lawful fences in the Counties of San Bernardino, Colusa, Shasta, Tehama, and Placer, approved April fifteenth, eighteen hundred and fifty-nine, passage recommended.

Senate bill No. 56, an Act concerning stray animals, passage recommended.

Assembly bill No. 164, an Act concerning estrays, passage recommended, with amendment to title.

PORTER of Contra Costa, Chairman.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 213, an Act to authorize the Guardian of certain minor children to convey their real estate ;

Also, Senate bill No. 222, an Act to authorize P. S. Palmstream to es-

tablish, keep up, and maintain a public ferry across Big River, in Mendocino County, near the Big River Mills;

Also, Senate bill No. 331, an Act supplementary and amendatory of an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three;

Also, Senate bill No. 246, an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto;

And this day, April second, eighteen hundred and sixty-three, at twelve o'clock and thirty minutes, P. M., said bills were delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report:

MR. PRESIDENT:—The Committee on Claims have had under consideration Assembly bill No. 383, an Act to appropriate money to pay the claim of F. F. Fargo, amounting to one thousand seven hundred and eighty-six dollars and forty-five cents, for services in cases in which the State was a party, and beg leave to report the same back, and recommend the passage of the bill.

From the facts which came before the committee, and affidavits submitted in support of the claim, and that in all the cases where expenses were incurred, no more than the statutory fee has been charged, the committee concluded to recommend as above.

OULTON, Chairman.

Assembly bill No. 383, above reported, was taken up, rules suspended, read third time, and passed.

Mr. Perkins, Chairman of the Finance Committee, made the following report:

MR. PRESIDENT:—The Finance Committee, to whom was referred Assembly bill No. 59, an Act concerning the fees of the Tax Collector of the City and County of San Francisco, on the collection of the delinquent taxes of the fiscal years eighteen hundred and fifty-six and eighteen hundred and fifty-seven, eighteen hundred and fifty-seven and eighteen hundred and fifty-eight, eighteen hundred and fifty-eight and eighteen hundred and fifty-nine, have had the same under consideration, and report the same back, and recommend its passage.

PERKINS, Chairman.

Assembly bill No. 59, above reported, was taken up, rules suspended, read third time, and passed.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report:

MR. PRESIDENT:—The Committee on Commerce and Navigation have considered Assembly bill No. 421, entitled an Act for the preservation of seals or sea lions at or near the entrance to the harbor of San Francisco, and beg leave to report the same back, with their approval, and passage recommended.

CLARK, Chairman.

Mr. Hathaway made a verbal report, recommending passage of Senate bill No. 254, an Act concerning roads and highways in the County of San Mateo.

Mr. Pacheco made the following report :

MR. PRESIDENT :—The San Luis Obispo and Monterey delegations, to whom was referred Senate bill No. 312, entitled an Act to repeal an Act to establish the boundary line between the Counties of San Luis Obispo and Monterey, approved May thirteenth, eighteen hundred and sixty-one, have had the same under consideration, and report back a substitute, and recommend its passage.

PACHECO,
PORTER, of Santa Cruz.

Mr. Higgins made the following report :

MR. PRESIDENT :—The Placer delegation, to whom was referred Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County, have had the same under consideration, report the same back, without amendment, and recommend its passage.

HIGGINS,
HARRIMAN.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER.

April 3d, 1863. }

MR. PRESIDENT :—The Assembly have adopted the report of the Committee of Free Conference on Senate amendments to Assembly bill No. 144, an Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty ;

Also, April second, passed Senate bill No. 252, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State ;

Also, April second, passed and amended title of Senate bill No. 255, an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two ;

Also, April second, passed Senate bill No. 265, an Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale ;

Also, April second, passed Senate bill No. 327, an Act to authorize the election of a Deputy Assessor for the City of Marysville.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,

April 3d, 1863. }

MR. PRESIDENT :—The Assembly, this day, passed Assembly concurrent resolution No. 38, relative to adjournment sine die.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

On the adoption of Assembly concurrent resolution No. 38, above reported, the ayes and noes were demanded, by Messrs. McCullough, Wallis, and Harriman, and taken, with the following result :

AYES—Messrs. Abell, Baker, Birdseye, Bogart, Booth, Cavis, Chamberlain, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Holden, Kutz, McNabb, Nixon, Parks, Perkins, Shannon, Van Dyke, and Wallis—25.

NOES—Messrs. Clark, Lewis, McCullough, Oulton, Pacheco, Porter of Santa Cruz, Powers, Shurtleff, and Whiting—9.

Senate bill No. 327, above reported, Senate concurred in the Assembly amendments.

Senate bill No. 255, above reported, Senate concurred in the Assembly amendments.

Mr. Saxton was granted four days leave of absence.

GENERAL FILE.

Senate bill No. 90, an Act to provide for the improvement and protection of the wharves, docks, and water front, in the City and County of San Francisco.

On the adoption of a substitute, the ayes and noes were demanded, by Messrs. Clark, Abell, and Perkins, and taken, with the following result :

AYES—Messrs. Abell, Clark, Hathaway, Lewis, McCullough, and Whiting—6.

NOES—Messrs. Baker, Birdseye, Bogart, Booth, Chamberlain, Cunningham, Doll, Gaskill, Harriman, Harvey, Higby, Higgins, Holden, Kutz, McNabb, Nixon, Oulton, Pacheco, Parks, Perkins, Porter of Santa Cruz, Shannon, Shurtleff, Van Dyke, Vineyard, and Wallis—26.

Pending the consideration of the bill, Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor.

KUTZ, for Committee.

Consideration of Senate bill No. 90, resumed, and it was ordered placed at top of the file for Tuesday, April seventh.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

REPORTS.

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 22, relative to Senate bill No. 235 ;

Also, Senate bill No. 210, an Act to regulate fees of office of Justices of the Peace and Constables in the County of San Joaquin ;

Also, Senate bill No. 235, an Act to provide for the maintenance and supervision of Common Schools.

And this day, April third, eighteen hundred and sixty-three, at one o'clock P. M., the above bills were delivered to the Governor for his approval.

HIGGINS, Chairman.

Mr. Higby made the following report :

MR. PRESIDENT :—The Calaveras delegation have had under consideration Senate bill No. 322, and return the same, and recommend its passage as amended.

HIGBY, for Delegation.

Senate bill No. 322, an Act to make certain offices in the County of Calaveras salaried offices—rules suspended, considered engrossed, read third time, and passed.

Mr. Oulton moved a call of the Senate.

Carried.

The following members were absent without leave : Messrs. Anderson, Baker, Birdseye, Bogart, Crane, Gaskill, Harriman, Harvey, Nixon, Parks, Van Dyke, and Wallis.

On motion of Mr. Oulton, further proceedings under the call were suspended.

Mr. Powers made the following report :

MR. PRESIDENT :—The Yolo delegation have had under consideration Assembly bill No. 183, an Act to grant the right to construct a turnpike road in Yolo County, and also to maintain a ferry, and report the same back, and recommend its passage.

POWERS, for Delegation.

GENERAL FILE RESUMED.

Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco—ordered to top of the file for Tuesday, April seventh.

Senate bill No. 243, an Act to authorize William Kohl and his associates to establish and maintain a steam ferry—amended, rules suspended, considered engrossed, read third time, and passed.

Mr. Kutz moved a call of the Senate.

Carried.

The following members were absent without leave : Messrs. Anderson, Baker, Birdseye, Crane, Gaskill, Harvey, Hathaway, Higby, McNabb, Nixon, Parks, Porter of Santa Cruz, Saxton, Shurtleff, Van Dyke, and Wallis.

Messrs. Hathaway, Parks, Gaskill, and Van Dyke, were admitted, and excused.

On motion of Mr. Perkins, further proceedings under the call were suspended.

Senate bill No. 201, an Act to authorize the construction and maintenance of a wharf in the County of Contra Costa—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 169, an Act to amend an Act entitled an Act to establish Pilots and pilot regulations for the Port of San Francisco, approved May twentieth, eighteen hundred and sixty-one—amended, and ordered to top of file for Saturday, April fourth.

Assembly bill No. 60, an Act to amend an Act entitled an Act amenda-

tory of and supplementary to an Act in relation to personal mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three, approved April twenty-ninth, eighteen hundred and fifty-seven, and Acts amendatory thereof—amended, read third time, and passed, and the title amended.

SPECIAL ORDERS.

The hour for the special orders having arrived, Assembly bill No. 321, an Act to provide for the leasing and maintenance of wharves belonging to this State in the harbor of San Francisco—ordered to top of the file for Tuesday, April seventh.

Assembly bill No. 328, an Act to provide for the protection of the water front of the City of San Francisco—indefinitely postponed.

Assembly bill No. 101, an Act to amend an Act entitled an Act in relation to the Board of Supervisors in and for Butte County, and concerning their powers, approved April tenth, eighteen hundred and sixty-two—amended, read third time, and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 3d, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 85, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, A. D. eighteen hundred and fifty-one;

Also, Senate bill No. 179, an Act to amend an Act entitled an Act concerning passengers arriving in the ports of this State, approved May third, eighteen hundred and fifty-two;

Also, Senate bill No. 246, an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto;

Also, Senate bill No. 198, an Act in relation to the collection of poll taxes in the City and County of San Francisco;

Also, Senate bill No. 135, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty;

Also, Senate bill No. 31, an Act concerning trade marks and names;

Also, Senate bill No. 107, an Act explanatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April tenth, eighteen hundred and sixty-two.

LELAND STANFORD, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 3d, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have appointed Seth H. Wetherbee, as Commissioner of Immigration, for the Port of San Francisco, and ask the concurrence of the Senate therein.

LELAND STANFORD, Governor.

EXECUTIVE SESSION.

On the confirmation of the above appointment of Seth H. Wetherbee, the Senate went into Executive Session.

The roll was called, and the appointment confirmed, by the following vote :

AYES—Messrs. Birdseye, Cavis, Chamberlain, Clark, Crane, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Kutz, Lewis, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—25.

NOES—Mr. Holden—1.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
April 3d, 1863. }

MR. PRESIDENT:—The Assembly, on the twenty-eighth of March, passed Assembly bill No. 325, an Act to amend an Act entitled an Act to grant James H. and Charles J. Deering the right to construct and maintain a bridge or bridges across the Tuolumne River, approved April eighth, eighteen hundred and sixty-two ;

Also, March thirtieth, passed Assembly bill No. 342, an Act to pay the claim of D. Z. Moore ;

Also, same day, passed Assembly bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary lines of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine ;

Also, March twenty-eighth, passed Assembly bill No. 418, an Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty ;

Also, March twenty-seventh, passed Assembly bill No. 419, an Act to ratify and confirm a certain indenture of extension and renewal of a certain indenture of lease to Edward Minturn ;

Also, March twenty-fifth, passed Assembly bill No. 433, an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay the claim of Benjamin O. Devoe ;

Also, March thirtieth, passed Assembly bill No. 456, an Act to authorize the Board of Supervisors of the County of Sonoma to levy an additional tax for road purposes.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 325, above reported, read first and second times, and placed on file.

Assembly bill No. 342, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 400, above reported, read first and second times, and referred to the Butte and Tehama delegations.

Assembly bill No. 418, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 419, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 433, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 456, above reported, read first and second times, and referred to the Sonoma delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act supplementary to an Act to authorize the Board of Supervisors of Trinity County to levy a toll on certain roads in said county, approved February twenty-first, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Wallis, for an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Porter of Contra Costa, for an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to charge and collect toll thereon.

Read first and second times, and referred to the Marin delegation.

GENERAL FILE.

Senate bill No. 313, an Act to authorize the Western Pacific Railroad Company to change the *termini* and route of their railroad, and other matters relative thereto—taken from file, and referred to the Committee on Corporations.

Senate bill No. 224, an Act concerning grand and trial jurors—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 257, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

On concurring in amendments adopted in Committee of the Whole, the ayes and noes were demanded, by Messrs. Powers, Shurtleff, and Wallis, and taken, with the following result:

AYES—Messrs. Birdseye, Cavis, Clark, Crane, Cunningham, Doll, Hathaway, Higby, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—20.

NOES—Mr. Kutz—1.

On the third reading of the bill, the ayes and noes were demanded, by Messrs. Powers, Shurtleff, and Cavis, and taken, with the following result:

AYES—Messrs. Birdseye, Clark, Crane, Cunningham, Doll, Hathaway,

Higby, Kutz, McCullough, Nixon, Oulton, Parks, Powers, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—19.

NOES—None.

The bill was read third time, and passed.

Mr. Powers gave notice of a motion to reconsider.

Mr. Cunningham gave notice of a motion to reconsider the vote by which the Senate concurred in Assembly amendments to Senate bill No. 327.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
April 3d, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 364, an Act to provide for the election of additional Supervisors in the County of Alameda.

W. N. SLOCUM,
Assistant Clerk.

Assembly bill No. 364, above reported, read first and second times, rules suspended, read third time, and passed.

GENERAL FILE RESUMED.

Assembly bill No. 376, an Act concerning estrays and animals found running at large in the County of Santa Clara.

During the consideration of the bill, Mr. Oulton addressed the Chair. He was called to order by Mr. Gaskill, on the ground that he was not in his seat.

The Chair decided the point of order well taken.

Mr. Oulton appealed from the decision.

On the question being put, the Chair was sustained.

Consideration resumed, and the bill laid on the table.

Senate bill No. 187, an Act to regulate the payment of losses on policies of insurance made by foreign insurance companies—indefinitely postponed.

Senate bill No. 232, an Act to provide for the formation of trial juries for the District Court in and for the County of Contra Costa—indefinitely postponed.

Senate bill No. 256, an Act creating a Board of Commissioners to revise and codify the laws of this State—indefinitely postponed.

Senate bill No. 272, an Act to protect purchasers of real estate from the unlawful acts of married women—indefinitely postponed.

Senate bill No. 263, an Act to legalize a survey of Green's Addition to the Town of Santa Rosa, in Sonoma County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 258, an Act concerning the publication of advertisements—amended, rules suspended, considered engrossed, read third time, and passed, and the title amended.

Assembly bill No. 252, an Act authorizing John W. Sharp and his associates to construct and maintain a toll road from the eastern bank of the Sacramento river, near Georgiana Slough, to the lower Steckton road,

near Benson's Ferry, in the City and County of Sacramento—read third time, and passed.

Senate bill No. 281, an Act to amend an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and the Act amendatory thereof, approved April twenty-seventh, eighteen hundred and sixty—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 329, an Act to authorize the transfer of moneys in the Treasury of the County of San Joaquin—rules suspended, read third time, and passed.

Senate bill No. 283, an Act to authorize the Trustees of Petaluma School District to levy a tax for certain purposes—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 244, an Act to ascertain the indebtedness of Nevada County to Yuba County, and to provide for the payment of the same—ordered to top of file for Saturday, April fourth.

Senate bill No. 267, an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turnpike road in the Counties of Sonoma and Mendocino—ordered to top of file for Tuesday, April seventh.

On motion of Mr. Gaskill, at five o'clock and forty minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, April 4th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 47, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, having had the same under consideration, report it back, and recommend its passage;

Also, Assembly bill No. 314, an Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved

April seventeenth, eighteen hundred and sixty-one, report it back, and recommend its passage;

Also, Senate bill No. 310, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress, report it back, amended, and recommend its passage as amended;

Also, Senate bill No. 64, an Act regulating actions affecting title or possession of real estate, report it back, amended, and recommend its passage as amended;

Also, Assembly bill No. 242, an Act in addition to an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplemental thereto, report the same back, without recommendation;

Also, Senate bill No. 296, an Act to prevent the fraudulent conveyance or encumbrance of real estate by married women, report it back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Perkins, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:—The Committee on Finance, to whom was referred Senate bill No. 145, an Act appropriating money for the benefit of the Ladies' Protection and Relief Society, have had the same under consideration, report the same back, and recommend its indefinite postponement;

Also, Senate bill No. 286, an Act to provide for an increased pay to the California Volunteers, report the same back, and recommend the indefinite postponement of the bill;

Also, Senate bill No. 206, an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, eighteen hundred and sixty-two, and to contract a funded debt for that purpose, and report to the Senate a statement of facts in regard to the subject matter of the bill, upon which the committee are unanimous. The committee were equally divided upon the conclusions of the report that the bill ought to pass—two in favor of the passage of the bill, and two opposed.

PERKINS, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 243, an Act to authorize William Kohl and his associates to establish and maintain a steam ferry.

KUTZ, for Committee.

Mr. Abell, from the Committee on Claims, made the following report:

MR. PRESIDENT:—The Committee on Claims, to whom was referred the petition of Charles B. Grant, asking the issue of certain duplicates of School Land Warrants, in lieu of the originals heretofore erroneously surrendered and cancelled in the office of the Register of the State Land Office, having carefully examined all the facts relative to said surrender, are of the opinion that the duplicates prayed for should be issued, and

to that end report the accompanying bill, with the recommendation that it be passed.

ABELL, for Committee.

The Committee on Claims, by leave, introduced a bill for an Act to authorize the issue of duplicates of certain School Land warrants to Charles B. Grant.

Read first and second times, and placed on file.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report:

MR. PRESIDENT:—The Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 197, an Act in relation to Swamp and Overflowed Lands, with Assembly amendments, have had the same under consideration, and report the same back, and recommend that the Senate concur in the Assembly amendments, except so far as relates to the appointment of Commissioners, which the Committee submits without recommendation.

HARVEY, Chairman.

Senate bill No. 197, above reported, was taken up.

On the motion to concur in Assembly amendment, to strike out the name of "Francis Tukey," and insert "John Hoagland," the ayes and noes were demanded, by Messrs. Whiting, Perkins, and Parks, and taken, with the following result:

AYES—Messrs. Bogart, Booth, Cunningham, Gaskill, Harvey, Lewis, McCullough, Oulton, Pacheco, Parks, Porter of Contra Costa, Shurtleff, Van Dyke, and Whiting—14.

NOES—Messrs. Abell, Birdseye, Cavis, Clark, Crane, Doll, Hathaway, Higby, Holden, Kutz, Perkins, Porter of Santa Cruz, Powers, Shannon, Vineyard, and Wallis—16.

Further amendments to the bill were concurred in.

Mr. Powers, pursuant to notice, moved to reconsider the vote by which Assembly bill No. 257, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, was passed.

On which, the ayes and noes were demanded, by Messrs. Doll, Powers, and Perkins, and taken, with the following result:

AYES—Messrs. Abell, Baker, Cavis, Clark, Crane, Cunningham, Hathaway, Higby, Kutz, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, and Wallis—14.

NOES—Messrs. Birdseye, Bogart, Booth, Doll, Gaskill, Holden, McCullough, Oulton, Pacheco, Parks, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—15.

So the Senate refused to reconsider.

Mr. Perkins reported, without recommendation, Assembly bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Assembly bill No. 294, above reported, ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
April 3d, 1863. }

Mr. PRESIDENT :—The Assembly, on the thirty-first of March, passed Assembly bill No. 165, an Act to amend an Act entitled an Act concerning the salary of certain county officers in the County of Napa, approved May eighth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 166, an Act to authorize the Board of Supervisors of the County of Napa to allow the claim of Charles Murphy ;

Also, Assembly bill No. 167, an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City ;

Also, Assembly bill No. 320, an Act concerning street railroads in this State ;

Also, Assembly bill No. 328, an Act to grant the right to construct a toll bridge across Feather River, near Oroville, in Butte County ;

Also, Assembly bill No. 387, an Act supplementary to an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, passed April twenty-fourth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 401, an Act to amend an Act for the better protection of farmers in certain portions of Sacramento County, approved April twenty-fifth, A. D. eighteen hundred and sixty-two ;

Also, Assembly bill No. 458, an Act concerning roads and highways in Colusa County ;

Also, April first, passed Assembly bill No. 468, an Act to prevent the arming and equipping, within the jurisdiction of this State, of vessels for piratical or privateering purposes, and other treasonable conduct ;

Also, April second, amended and passed Senate bill No. 22, an Act concerning officers ;

Also, amended and passed Senate bill No. 303, an Act to authorize the Board of Supervisors of Butte County to loan certain money ;

Also, Senate bill No. 308, an Act authorizing the Board of Supervisors of Butte County to appropriate money.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 4th, 1863. }

Mr. PRESIDENT :—The House, on the second of April, passed Assembly bill No. 429, an Act to authorize the Mechanics' Institute of the City of San Francisco to sell, mortgage, and convey real estate ;

Also, April second, passed Assembly bill No. 447, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three ;

Also, April second, passed Assembly bill No. 478, an Act concerning the terms of the Court of the Sixth Judicial District ;

Also, April fourth, passed Assembly bill No. 483, an Act to provide for the holding of a special term of the District Court in Los Angeles County.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,

April 4th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, passed Assembly bill No. 479, an Act for the relief of the family of Col. Roderick Matheson.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 483, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 429, above reported, read first and second times, rules suspended, read third time and passed.

Assembly bill No. 447, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 387, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 165, above reported, read first and second times, and referred to the Napa delegation.

Assembly bill No. 166, above reported, read first and second times, and referred to the Napa delegation.

Assembly bill No. 167, above reported, read first and second times, and referred to the Napa delegation.

Assembly bill No. 468, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 328, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 455, above reported, read first and second times, and referred to the Colusa delegation.

Assembly bill No. 478, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 401, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 320, above reported, read first and second times, and placed on file.

Assembly bill No. 479, above reported, read first and second times, and placed on file.

Senate concurred in Assembly amendments to Senate bill No. 303, above reported.

Senate bill No. 22, above reported, was referred to the Judiciary Committee.

Assembly bill No. 326, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, was taken from the file, and referred to the Committee on Agriculture.

Mr. Harvey gave notice of a motion to reconsider the vote by which the Senate concurred in the following Assembly amendments to Senate bill No. 197, to wit :

In section one, line one, strike out the name of "Daniel Higgins," and insert "E. H. Allen."

Also, to reconsider the vote by which the Senate refused to concur in the following amendment to the same bill, to wit :

Strike out the name of "Francis Tukey," and insert "John Hoagland."

Mr. Cunningham, pursuant to notice, moved to reconsider the vote by

which the Senate, on yesterday, concurred in Assembly amendments to Senate bill No. 327, an Act to authorize the election of a Deputy Assessor for the City of Marysville.

Reconsideration carried.

The Senate then refused to concur in Assembly amendments, and Messrs. Cunningham, Gaskill, and Baker, were appointed a Committee of Free Conference on its disagreement.

GENERAL FILE.

Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor—read third time, and passed.

Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 169, an Act to amend an Act entitled an Act to establish Pilots and pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one—ordered to top of the file for Wednesday, April eighth.

Senate bill No. 244, an Act to ascertain the indebtedness of the County of Nevada to the County of Yuba, and to provide for the payment of the same.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. Kutz, Cunningham, and Parks, and taken, with the following result:

AYES—Messrs. Baker, Birdseye, Clark, Crane, Hathaway, Higgins, Kutz, Nixon, Pacheco, Parks, Shurtleff, Van Dyke, and Wallis—13.

NOES—Messrs. Cunningham, Higby, Holden, Porter of Contra Costa, Powers, and Shannon—6.

Mr. Abell was excused from voting.

Mr. Gaskill paired off with Mr. Harvey.

Mr. Parks gave notice of a motion to reconsider.

Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto—returned to the file.

Mr. McCullough, by leave, introduced a bill for an Act to authorize the Board of Supervisors of the County of Stanislaus to take and subscribe twenty-five thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 254, an Act concerning roads and highways in the County of San Mateo, was taken up, rules suspended, considered engrossed, read third time, and passed.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

Mr. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 55, an Act making an appropriation for the payment of the expense growing out of the indictment and trial of Horace Smith;

Also, Senate bill No. 119, an Act concerning records of District Courts;

Also, Senate bill No. 129, an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital;

Also, Senate bill No. 164, an Act to incorporate the Town of San Luis Obispo;

Also, Senate bill No. 299, an Act concerning official publications for the County of Yolo;

Also, Senate bill No. 309, an Act to regulate the fees of certain officers in the County of Calaveras.

And this day, April fourth, eighteen hundred and sixty-three, at fifteen minutes past one o'clock, P. M., the said bills were presented to the Governor for his approval.

HIGGINS, Chairman.

Assembly bill No. 320, an Act concerning street railroads in this State,—was taken up, amended, read third time, and passed.

Mr. Holden gave notice of a motion to reconsider.

Assembly bill No. 408, an Act granting the right of way over certain lands in this State, in the County of El Dorado, for the construction of a wagon road—was taken up, rules suspended, read third time, passed, and title amended.

Assembly bill No. 256, an Act to provide for furnishing the county officers of Amador County with the Statutes of the State of California, and the Supreme Court Reports, was reported back by Mr. Parks for the Amador delegation, with the recommendation that it pass—rules suspended, read third time, and passed.

Assembly bill No. 309, an Act to change the name of New San Pedro, a town in Los Angeles County—read third time, and passed.

Assembly bill No. 369, an Act to amend an Act in relation to public roads in the County of Amador, and to the Road Fund of said county, approved March thirteenth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 285, an Act to regulate and license places of public amusements—read third time, and passed.

Assembly bill No. 316, an Act to authorize the Board of Supervisors in and for the County of Amador to levy an additional tax for county expenditures in said county—read third time, and passed.

Assembly bill No. 317, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and Antelope Springs, in Amador County—read third time, and passed.

Senate bill No. 310, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress—ordered to top of file for Thursday, April ninth, and the usual number of copies of the bill were ordered printed.

Senate bill No. 184, an Act to authorize John F. Hill, William Bryan, and James P. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect tolls thereon—amended, ordered engrossed, and read third time.

Assembly bill No. 70, an Act to amend an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two—substitute adopted, read third time, and passed.

Mr. Powers presented two bills from the proprietors of the Golden Era. Referred to the Committee on Claims.

Assembly bill No. 421, an Act for the preservation of seals or sea lions at or near the entrance to the harbor of San Francisco—read third time, and passed.

Senate bill No. 232—returned to file.

Senate bill No. 233—returned to file.

Senate bill No. 30, an Act to appropriate money for the transportation of convicts to the State Prison—indefinitely postponed.

Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
April 4th, 1863. }

Mr. PRESIDENT:—The House, this day, passed Assembly bill No. 412, an Act creating the office of Bailiff of the Supreme Court ;

Also, concurred in Senate amendments to Assembly bill No. 197, an Act to submit the question of the removal of the county seat of Calaveras County to the qualified voters thereof ;

Also, passed Senate bill No. 203, an Act to authorize the Supervisors of Placer County to audit and allow the claim of George L. Anderson.

W. N. SLOCUM.

Assistant Clerk.

Assembly bill No. 412, above reported, read first and and second times, rules suspended, read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

OFFICE BOARD OF EXAMINERS,
Sacramento, April 4th, 1863 }

To the Honorable the Senate of California :

I herewith transmit to your honorable body the following claim, together with the decision by the Board, viz :

Gregory Yale, claimant, vs. The State of California, for professional services in the Broderick will case, five thousand dollars.

Approved by Board of Examiners for three thousand dollars.

LELAND STANFORD, Governor.

The message and accompanying documents were referred to the Committee on Claims.

GENERAL FILE RESUMED.

Senate bill No. 288, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their powers and duties, passed March twentieth, eighteen hundred and fifty-

five, and the several Acts amendatory thereof and supplementary thereto—laid on the table.

Senate bill No. 301, an Act to authorize the persons therein named, their associates, successors, and assigns, to improve and use the Truckee River—laid on the table.

Senate bill No. 274, an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 304, an Act to provide for the construction of a State Capitol Building in the City of Sacramento—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 305, an Act relative to the terms of the District Courts in the Eleventh Judicial District of this State—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 330, an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for the purposes therein named—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State—ordered to top of file for Monday, April sixth.

Senate bill No. 311—returned to file.

Senate bill No. 319—returned to file.

Senate bill No. 318—returned to file.

Senate bill No. 63, an Act to amend an Act to provide for the location of school warrants upon unsurveyed lands, and for the issuance of title for the same, approved April eighteenth, eighteen hundred and fifty-nine—laid on the table.

Assembly concurrent resolution No. 35, relative to boundary line of the State—adopted.

Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two—amended, rules suspended, considered engrossed, read third time, and passed.

Mr. Parks gave notice of a motion to reconsider.

On motion of Mr. Parks, at five o'clock and fifteen minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Monday, April 6th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Thomas.

Journal of Saturday last read and approved.

Mr. Shannon presented certain claims, and requested that the Secretary present the same to the Board of Examiners for their consideration.

REPORTS.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 288, an Act to receive and pay for certain books relating to the war debt of this State, and beg leave to report the same back, and recommend the passage of the bill. The books in question contain valuable and indispensable information for the use of the State Treasurer, are absolutely required, are prepared in an unexceptionable manner, and if these are not purchased, others containing similar computations will have to be procured.

OULTON, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 22, an Act concerning officers, having had the same under consideration, report it back, and recommend that the Senate do not concur in Assembly amendments ;

Also, have considered Assembly bill No. 418, an Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty, and report the same back, and recommend its passage ;

Also, have had under consideration Assembly bill No. 62, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and report the same back, and recommend its passage ;

Also, have considered Senate bill No. 212, proposed Amendments to the Constitution of the State of California, and report the same back, without recommendation.

VAN DYKE, Chairman.

Senate bill No. 22, above reported, was taken up, and the Senate refused to concur in Assembly amendments.

Pursuant to notice, Mr. Harvey moved to reconsider the vote by which the Senate did, on Saturday, concur in the following Assembly amendment to Senate bill No. 197, an Act to amend an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to the State by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one, to wit :

Amend section first, line one, by striking out the name of "David Higgins," and insert "E. H. Allen."

Reconsideration carried, and on the vote being taken, the Senate refused to concur.

Mr. Oulton also moved to reconsider the non-concurrence of the Senate to the following Assembly amendment to the same bill, to wit :

Strike out the name of "Francis Tukey," and insert the name of "John Hoagland."

Motion to reconsider carried, and the Senate concurred in the amendment.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report:

Mr. PRESIDENT:—The Committee on Corporations, to whom was referred Senate bill No. 313, an Act to authorize the Western Pacific Railroad Company to change the *termini* and route of their railroad, etc., report the same back, with the recommendation that it be indefinitely postponed.

WHITING, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report:

Mr. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 239, an Act to provide for the sale of all the public lands belonging to this State.

KUTZ, for Committee.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report:

Mr. PRESIDENT:—Your Committee on Agriculture, to whom was referred Senate bill No. 297, an Act to provide for the better protection of orchards, vineyards, and gardens, ask leave to report it back, with a recommendation that it pass.

PORTER of Contra Costa, Chairman.

Senate bill No. 297, above reported, was taken up, rules suspended, considered engrossed, read third time, and passed.

Mr. Parks, pursuant to notice, moved to reconsider the vote by which the Senate did, on Saturday, pass Senate bill No. 119, an Act supplementary to and to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

On which motion, the ayes and noes were demanded, by Messrs. Crane, Wallis, and Hathaway, and taken, with the following result:

AYES—Messrs. Baker, Booth, Cunningham, Doll, Harvey, Holden, Lewis, Nixon, Oulton, Pacheco, Parks, Shannon, and Vineyard—13.

NOES—Messrs. Abell, Anderson, Birdseye, Clark, Crane, Gaskill, Hathaway, Higby, Higgins, Kutz, Powers, Shurtleff, Van Dyke, Wallis, and Whiting—15.

So the Senate refused to reconsider.

Mr. Gaskill made the following report:

Mr. PRESIDENT:—The Butte delegation, to whom was referred Assembly bill No. 382, have considered the same, and report the same back, with amendments, and recommend its passage as amended.

GASKILL, for Delegation.

Mr. Whiting verbally reported Senate bill No. 337, an Act to amend

an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one, and asked that it be placed at top of file for Wednesday, April eighth, and the usual number of copies be ordered printed.

So ordered.

Mr. Clark made the following report :

MR. PRESIDENT :—The San Francisco delegation, to whom was referred Senate bill No. 261, entitled an Act to provide for the compensation of the School Directors of the City and County of San Francisco, have had the same under consideration, and beg leave to report it back, with a recommendation that it be indefinitely postponed.

CLARK, for Delegation.

Mr. Baker made the following report :

MR. PRESIDENT :—The Tulare delegation, to whom was referred Assembly bill No. 261, an Act to extend the provisions of an Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two, have had the same under consideration, and report the same back to the Senate, with amendments, and recommend its passage as amended ;

Also, an Act to repeal an Act entitled an Act to make county warrants receivable in payment of taxes in Tulare County, have had the same under consideration, and report the same back to the Senate, and recommend its passage ;

Also, an Act to repeal an Act entitled an Act fixing the compensation of the County Auditor of Tulare County, approved April nineteenth, eighteen hundred and sixty-two, have had the same under consideration, and report it back to the Senate, and recommend its passage.

BAKER, for Delegation.

Assembly bill No. 262, above reported, taken up, read third time, and passed.

Assembly bill No. 263, above reported, read third time, and passed.

Mr. Porter of Contra Costa made the following report :

MR. PRESIDENT :—The Marin delegation, to whom was referred Senate bill No. 335, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to charge and collect toll for travel thereon, ask leave to report the same back, and recommend its passage.

PORTER of Contra Costa, for Delegation.

Mr. Pacheco, Chairman of the Committee on Military Affairs, made the following report :

MR. PRESIDENT :—Your Committee on Military Affairs have had under consideration Senate bill No. 209, an Act to provide for the better defence of this State, and report the same back, recommending its indefinite postponement.

PACHECO, Chairman.

Senate bill No. 209, above reported, taken up, and indefinitely postponed.

Mr. Harvey, from the Committee on Corporations, made the following report :

Mr. PRESIDENT :—The Committee on Corporations, to whom was referred Assembly bill No. 280, an Act to authorize the re-location of the route of the railroad of the Central Pacific Railroad Company of California, and other matters relating thereto, have had the same under consideration, and report the same back, and recommend its passage, without amendment.

HARVEY, for Committee.

Assembly bill No. 280, above reported, read third time, and passed.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

Mr. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 124, an Act concerning roads and highways in the County of Nevada ;

Also, Senate bill No. 142, an Act to regulate fees in office in the Counties of Shasta, Trinity and Klamath ;

Also, Senate bill No. 326, an Act to change the name of William Henry English.

And said bills were, this day, April sixth, eighteen hundred and sixty-three, at eleven o'clock and forty minutes, A. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Gaskill, for an Act to provide for a State Gauger.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Crane, for an Act to declare the operation and effect of certain deeds of confirmation and further assurance.

Read first and second times, and referred to the Judiciary Committee.

Indefinite leave of absence was granted to Mr. Chamberlain ; and to Mr. Harriman, leave for two days.

On motion of Mr. Birdseye, all Senators not answering to roll call this morning, were granted leave for one day each.

Mr. Van Dyke moved to reconsider the vote by which the Senate refused to concur in the Assembly amendments to Senate bill No. 22, an Act concerning offices.

Carried.

The vote being taken, the amendments were concurred in.

GENERAL FILE.

Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State—ordered to top of file for Wednesday, April eighth.

Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act amendatory of an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities.

Mr. Doll offered the following amendment, to wit : Strike out all after the enacting clause, and insert :

“SECTION 1. Said Act, and all Acts amendatory thereof and supplemental thereto, are hereby repealed.”

On which amendment, the ayes and noes were demanded, by Messrs. Gaskill, Cunningham, and Wallis, and taken, with the following result :

AYES—Messrs. Anderson, Crane, Cunningham, Doll, Gaskill, Harvey, Higgins, Pacheco, Powers, and Whiting—10.

NOES—Messrs. Birdseye, Clark, Hathaway, Holden, Kutz, Nixon, Oulton, Shannon, Shurtleff, Van Dyke, and Wallis—11.

Amendment lost, and the bill was ordered to top of file for Thursday, April ninth.

Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct a wharf at the western end of the Encinal, in Alameda County—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 311, an Act to provide for the increase of pay of volunteers in the service of the United States, mustered into service in this State, and to create a Fund for the payment of the same—ordered to top of file for Thursday, April ninth.

Senate bill No. 233, an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, and an Act amendatory thereof, passed April twenty-sixth, eighteen hundred and sixty-two—indeinitely postponed.

Assembly bill No. 232, an Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of public and private roads in the County of Santa Cruz—read third time, and passed.

Assembly bill No. 91—returned to file.

Assembly bill No. 199, an Act for the relief of Martin Winslow.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Doll, Whiting, and Vineyard, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Booth, Clark, Cunningham, Hathaway, Higby, Kutz, Nixon, Pacheco, Porter of Contra Costa, Powers, and Shurtleff—13.

NOES—Messrs. Baker, Doll, Gaskill, Harvey, Higgins, Oulton, Vineyard, and Whiting—8.

So the bill passed.

Assembly bill No. 381, an Act fixing the mileage of the several County Treasurers of this State—ordered to top of file for Saturday, April eleventh.

Assembly bill No. 371, an Act to amend an Act entitled an Act changing the time of assessing the value of real and personal property and collecting the taxes levied thereon for State and county purposes, in the County of Sierra, passed April tenth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 297, an Act to amend an Act entitled an Act to limit the terms of leases, passed April twenty-first, eighteen hundred and fifty-one—indeinitely postponed.

Senate bill No. 292, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—ordered to top of file for Saturday, April eleventh.

Senate bill No. 277, an Act making an appropriation for the Contingent Fund of the Senate for the thirteenth session of the Legislature—indeinitely postponed.

Senate bill No. 293, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 192, an Act to exempt the homestead property of General John A. Sutter from taxation—indeinitely postponed.

Assembly bill No. 325, an Act to amend an Act entitled an Act to give to proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight—ordered engrossed, and read third time.

The claim of Martha Buckelew against the State, for eight thousand one hundred dollars, was taken up and rejected. The above claim is for grazing, ground rent, and clay used for making brick, during the years eighteen hundred and fifty-five and eighteen hundred and fifty-six.

Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County—ordered engrossed, and read third time.

Senate bill No. 312, an Act to define the boundary line between the Counties of San Luis Obispo and Monterey—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 96, an Act to ratify and confirm a certain ordinance passed by the Common Council of the City of Oakland, and approved by the Mayor of said city.

In Senate, on concurring in the amendments made in Committee of the Whole, the ayes and noes were demanded, by Messrs. Parks, Crane, and Wallis, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Birdseye, Clark, Crane, Gaskill, Hathaway, Higby, Higgins, Powers, Van Dyke, and Wallis—12.

NOES—Messrs. Baker, Cunningham, Doll, Harvey, Kutz, Oulton, Pacheco, Parks, and Shurtleff—9.

So the bill was amended, read third time, and passed.

On motion of Mr. Gaskill, at three o'clock and forty-five minutes, P. M., the Senate adjourned.

A. M. CRANE,
President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
 Tuesday, April 7th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

Mr. Powers presented a bill from H. J. Bidleman, for the "California Express," furnished to Senators during the session of eighteen hundred and sixty-two.

Referred to the Committee on Claims.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 268, an Act to legalize certain contracts, and provide for the enforcement thereof, having had the same under consideration, report it back, and recommend its indefinite postponement ;

Also, Assembly bill No. 468, an Act to prevent the arming and equipping within the jurisdiction of this State of vessels for piratical or privateering purposes, and other treasonable conduct, report the same back, and recommend its passage ;

Also, Assembly bill No. 330, an Act to exclude traitors and alien enemies from the Courts of Justice in civil cases, report the same back, amended, and recommend its passage as amended ;

Also, Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, report the same back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 322, an Act to make certain offices in the County of Calaveras salaried offices ;

Also, Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

KUTZ, for Committee.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

Mr. PRESIDENT :—The Committee on Swamp and Overflowed Lands, to whom was referred Assembly bill No. 257, an Act to provide for the reclamation of the Swamp and Overflowed Lands donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty, have had the same under consideration, report the same back, with amendments, and recommend its passage as amended.

HARVEY, Chairman.

Mr. Doll made a verbal report, recommending the passage of Assembly bill No. 455, an Act concerning roads and highways in Colusa County.

Assembly bill No. 455, above reported, was taken up, read third time, and passed.

Mr. Gaskill made the following report :

Mr. PRESIDENT :—The Butte delegation, to whom was referred Assembly bill No. 328, an Act to grant the right to construct a toll bridge across Feather River, near Oroville, Butte County, have considered the same, and report the bill back, and recommend its passage.

GASKILL, for Delegation.

Mr. Holden made the following report :

Mr. PRESIDENT :—The delegation from Napa have had under consideration Assembly bill No. 167, an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, and recommend the passage of the bill ;

Also, Assembly bill No. 166, an Act to authorize the Board of Supervisors of Napa County to allow the claim of Charles Murphy, and recommend the passage of the bill ;

Also, Assembly bill No. 165, an Act to amend an Act concerning the salary of certain county officers in the County of Napa, and recommend the passage of the bill.

HOLDEN, for Delegation.

Assembly bill No. 165, above reported, taken up, read third time, and passed.

Assembly bill No. 166, above reported, taken up, read third time, and passed.

Assembly bill No. 167, above reported, taken up, read third time, and passed.

Mr. Harriman made the following report :

Mr. PRESIDENT :—The Special Committee to whom was referred Senate bill No. 39, an Act to authorize Eugene L. Sullivan and others to lay down gas pipes, in the City and County of San Francisco, have had the same under consideration, and report it back, without amendment and without recommendation.

HARRIMAN,
LEWIS,
SHURTLEFF.

Senate bill No. 39, above reported, was taken up, and Assembly amendments concurred in.

Mr. Harriman made the following report :

Mr. PRESIDENT :—The Placer delegation, to whom was referred Assembly bill No. 409, an Act to incorporate the Town of Dutch Flat, in Placer County, have had the same under consideration, and report it back, without amendment, and recommend its passage.

HARRIMAN,
HIGGINS.

Assembly bill No. 409, above reported, taken up, read third time, and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
April 6th, 1863. }

Mr. PRESIDENT :—The House, on the fourth of April, passed Assembly concurrent resolution No. 39, granting leave of absence from the State to the County Surveyor of Solano County ;

Also, April sixth, passed Assembly bill No. 243, an Act amendatory of an Act supplemental to an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto, approved April fourteenth, eighteen hundred and sixty-two ;

Also, April sixth, passed Assembly bill No. 302, an Act abolishing the office of County Assessor, and establishing the office of Township Assessor, in the County of Butte ;

Also, April third, passed Assembly bill No. 348, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco ;

Also, April fourth, passed Assembly bill No. 388, an Act granting the right to construct and maintain a bridge across the Cosumnes River, in the County of Sacramento ;

Also, indefinitely postponed Senate bill No. 150, an Act to authorize the levy of a special property tax in the County of Sonoma for the establishment and maintenance of roads and bridges ;

Also, passed Senate bill No. 159, an Act to fund the indebtedness of Calaveras County ;

Also, passed Senate bill No. 177, an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county ;

Also, passed Senate bill No. 183, an Act to fix the salary of the District Attorney of the County of Shasta ;

Also, amended and passed Senate bill No. 189, an Act to provide for the retention of hides of cattle killed or slaughtered in certain counties of this State ;

Also, April third, amended and passed Senate bill No. 231, an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and sixty.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 6th, 1863. }

Mr. PRESIDENT :—The Assembly, April fourth, passed Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, the Assembly, this day, appointed Messrs. Sanderson, Hartson, and Smith of Butte, a Committee of Free Conference on the part of the House on the disagreeing vote of the two Houses on Assembly amendments to Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 319, above reported, read first and second times, and referred to the Committee on Military Affairs.

Assembly bill No. 243, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 302, above reported, read first and second times, and referred to the Butte delegation.

Assembly bill No. 348, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 388, above reported, read first and second times, and referred to the Sacramento delegation.

Senate concurred in Assembly amendments to Senate bill No. 189, above reported.

Senate concurred in Assembly amendments to Senate bill No. 231, above reported.

Assembly concurrent resolution No. 39, above reported, read third time, and adopted.

Mr. Pacheco reported back, verbally, Senate concurrent resolution No. 14, relative to Indian Affairs, with amendments, and recommended its passage as amended.

Senate concurrent resolution No. 14, above reported, was taken up, amended, rules suspended, read third time, and passed.

Assembly bill No. 261, an Act to extend the provisions of an Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two, was, on motion of Mr. Baker, taken from the file, and referred to the Tulare delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Perkins, for an Act to amend section two of an Act entitled an Act extending the privileges of the Homestead Law to certain persons, and to regulate the creation of the same, approved March thirteenth, eighteen hundred and sixty.

Read first and second times, and referred to the Judiciary Committee.

Mr. Perkins asked leave to introduce a bill for an Act to punish persons sympathizing with traitors.

Objection being made, the ayes and noes on the question of leave were demanded, by Messrs. Perkins, Gaskill, and Crane, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Birdseye, Booth, Cavis, Clark, Crane, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shurtleff, Wallis, and Whiting—25.

NOES—Messrs. Baker, Bogart, Doll, Holden, and Vineyard—5.

The bill was accordingly introduced, read first and second times, and referred to the Judiciary Committee.

Mr. Wallis introduced a concurrent resolution relative to correction by the Enrolling Clerk of Senate bill No. 295.

Adopted.

Mr. Doll offered a concurrent resolution authorizing the Controller of State to collate certain laws.

Adopted.

Senate bill No. 301, an Act to authorize the persons therein named, their associates, successors, and assigns, to improve and use the Truckee River, was taken from the table, and placed on file.

GENERAL FILE.

Senate bill No. 239, an Act to provide for the sale of all the public lands belonging to this State—read third time, and passed, and title amended.

Senate bill No. 90, an Act to provide for the improvement and protection of wharves, docks, and water front, in the City and County of San Francisco—considered in Committee of the Whole, and made the special order for Wednesday, April eighth, at two o'clock, P. M.

Mr. Powers gave notice of a motion to reconsider the vote by which the Senate did, on this morning, adopt the report of the Committee of Free Conference on Senate bill No. 39, an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May third, eighteen hundred and sixty-two.

Assembly bill No. 169, an Act to amend an Act entitled an Act to establish Pilots and pilot regulations for the Port of San Francisco—taken up, and re-referred to the Committee on Commerce and Navigation.

Mr. Birdseye made a report from a portion of the Finance Committee on Senate bill No. 206, an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, A. D. eighteen hundred and sixty-two, and to contract a funded debt for that purpose.

Report ordered printed.

Mr. Van Dyke made the following report :

MR. PRESIDENT :—The undersigned, Committee of Free Conference on the disagreeing vote of the two Houses on the Assembly amendment to Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, beg leave to report that they have had the matter submitted to them under consideration, and recommend that the Senate do concur in the said amendment made by the Assembly, viz: Amend by striking out in line fourth, section one, the words "every two years," and insert "on the first Wednesday in September, every second year."

VAN DYKE,
McCULLOUGH,
WALLIS,

Senate Committee.

SANDERSON,
SMITH of Butte,
HARTSON,

Assembly Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 7th, 1863. }

Mr. PRESIDENT :—The Assembly, on the fourth day of April, passed Assembly bill No. 129, an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto ;

Also, passed Assembly bill No. 53, an Act to authorize William F. Nelson and his associates to lay down and maintain a railroad within the City and County of San Francisco ;

Also, on April sixth, refused to adopt Senate substitute for Assembly bill No. 70 ;

Also, refused to recede from Assembly amendment to Senate bill No. 327, and appointed as Committee of Free Conference, Messrs. Adkison, Dudley of Solano, and Yule ;

Also, passed Senate bill No. 339, an Act to authorize the Board of Supervisors of Stanislaus County to subscribe twenty-five thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER,
April 7th, 1863. }

Mr. PRESIDENT :—The Assembly, on the fourth instant, passed Assembly bill No. 410, an Act to authorize the Treasurer of Alameda County to collect the taxes of said county ;

Also, passed Assembly bill No. 425, an Act to appropriate money to pay a certain claim ;

Also, passed Assembly bill No. 254, an Act authorizing Placer County to appropriate moneys from its General Fund for the support of an Agricultural Association within the county ;

Also, passed Assembly bill No. 449, an Act to provide for the construction of a railroad from Wilmington to Los Angeles, in Los Angeles County ;

Also, on the fourth instant, passed Assembly bill No. 399, an Act to assist in filling up the regiments of California Volunteers, and to aid certain officers for that purpose.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 129, above reported, read first and second times, and placed on file.

Assembly bill No. 348, above reported, read first and second times, and placed on file.

Assembly bill No. 410, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 425, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 449, above reported, read first and second times, and placed on file.

Assembly bill No. 254, above reported, read first and second times, and referred to the Placer delegation.

Assembly bill No. 399, above reported, read first and second times, and laid on table.

On motion of Mr. Parks, at four o'clock and fifty minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Wednesday, April 8th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

REPORTS.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

Mr. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 342, an Act to pay the claim of D. Z. Moore, and report the same back, with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 234, an Act to provide for the payment of certain legal expenses incurred by the State, and report the same back, with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 444, an Act for the relief of J. C. Gilfillan, and report the same back, and recommend its indefinite postponement.

The claim upon which this bill is founded is for water furnished the Assembly last session, in San Francisco, at which session it was audited and ordered paid out of the Contingent Fund of the Assembly, but that Fund being exhausted, this and several other claims against it still remain unpaid. The Controller of State has furnished the Legislature at the present session with a statement of the deficiency in the Contingent Fund of the Senate and Assembly of the last session, and recommended that an appropriation be made in the Deficiency Bill this year for the payment of such claims, which, in the opinion of the committee, is the proper course to pursue.

Also, the claims of H. J. Bidleman, George I. Lytle, and Brooks & Lawrence, for papers furnished Senators upon the order of the Sergeant-at-Arms of the Senate, at the last session of the Legislature, and report the same back, with accompanying bill, and recommend the passage of the bill.

OULTON, Chairman.

The Committee on Claims, as above reported, introduced a bill for an Act to pay certain claims.

Read first and second times, and placed on file.

Mr. Gaskill made the following report :

MR. PRESIDENT :—The delegations from Butte and Tehama, to whom were referred Assembly bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary line of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine, have considered the same, and are unable to agree.

Gaskill recommends that it do not pass.

Doll recommends that it be passed.

GASKILL, for Delegations.

Assembly bill No. 400, above reported, made the special order for Friday, April tenth, at two o'clock, P. M.

Mr. Lewis made the following report :

MR. PRESIDENT :—The Calaveras delegation, to whom was referred Senate bill No. 240, reports the same back, with amendments, and recommends its passage.

LEWIS, for Delegation.

Senate bill No. 240, above reported, amendments adopted, bill considered engrossed, read third time, and passed.

Mr. Crane made a verbal report, recommending the passage of Assembly bill No. 191, an Act to repeal a part of section six of an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Mr. Holden made a verbal report, recommending the indefinite postponement of Senate bill No. 58, an Act to provide for the selection and sale of the lands donated to this State for the support and maintenance of an Agricultural and Mechanical College.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :—The Committee on Corporations, to whom was referred Senate bill No. 111, an Act to levy and collect a tax upon fire insurance companies, etc., have had the same under consideration, and respectfully report the same back, with the recommendation that the same be indefinitely postponed.

WHITING, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 6th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 235, an Act to provide for the maintenance and supervision of Common Schools ;

Also, Senate bill No. 147, an Act to re-incorporate the City of Placerville, and extend the limits thereof ;

Also, Senate bill No. 248, an Act to amend an Act entitled an Act to

authorize the Board of Supervisors of Amador County to levy a special tax, and create a Redemption Fund for the payment of outstanding road warrants in said county, approved March fifth, eighteen hundred and sixty-two ;

Also, Senate bill No. 47, an Act to prevent the use of phosphorus, for poisoning vermin or any animals, in certain counties of this State, between the first day of March and the first day of November of each year ;

Also, Senate bill No. 186, an Act to exempt from taxation certain property of the Society of California Pioneers ;

Also, Senate bill No. 109, an Act to grant the right to construct a bridge and establish a ferry on the San Joaquin River, in Fresno County, to I. B. Marshall, and his associates and assigns ;

Also, Senate bill No. 123, an Act to amend an Act entitled an Act in relation to public roads in the County of Calaveras, and to the Road Fund of said county, approved April tenth, A. D. eighteen hundred and sixty-two ;

Also, Senate bill No. 260, an Act supplemental to an Act entitled an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three.

LELAND STANFORD, Governor.

Assembly bill No. 53, an Act to authorize William F. Nelson and his associates to lay down and maintain a railroad within the City and County of San Francisco, reported from the Assembly, was read first and second times, and placed on file.

Assembly bill No. 70, an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, reported from the Assembly, was referred to the Committee on Finance.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shurtleff, for an Act granting the right to construct and maintain a bridge across Pitt River, at a point therein named, in the County of Shasta.

Read first and second times, and placed on file.

By Mr. Perkins, for an Act to authorize A. W. McPherson, and his associates and assigns, to build a wharf in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Holden, for an Act to confer further powers upon the Board of Supervisors of Lake County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Senate bill No. 118, an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne river, in the Counties of Calaveras—taken from the table and Assembly amendments concurred in.

Assembly bill No. 207—taken from file, and placed at top of file for to-morrow.

Senate bill No. 268—taken from file, and placed at top of file for to-morrow.

Assembly bill No. 399, an Act to assist in filling up the regiments of the California Volunteers—read third time, and passed.

Senate bill No. 284—returned to file.

Senate bill No. 267—returned to file.

Senate bill No. 337—ordered to top of file for to-morrow.

Senate bill No. 74—postponed until after consideration of Senate bill No. 90.

Senate bill No. 321—postponed until after consideration of Senate bill No. 74.

Senate bill No. 56, an Act concerning estray animals.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. Gaskill, Parks, and Shurtleff, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Booth, Cunningham, Gaskill, Harriman, Hathaway, Higgins, Kutz, Lewis, Nixon, Oulton, Parks, Porter of Santa Cruz, Shannon, Shurtleff, Vineyard, and Whiting—24.

NOES—Messrs. Bogart, Cavis, Clark, Crane, Doll, Harvey, Higby, Holden, McCullough, McNabb, Perkins, Porter of Contra Costa, Powers, Van Dyke, and Wallis—15.

Senate bill No. 23, an Act to provide for the retention of the hides of cattle killed or slaughtered in San Diego County—indeinitely postponed.

Assembly bill No. 41, an Act to extend the provisions of an Act entitled an Act concerning lawful fences in the Counties of San Bernardino, Colusa, Shasta, Tehama, and Placer, approved April fifteenth, eighteen hundred and fifty-nine—the Senate refused to order the bill to a third reading.

Mr. Porter of Contra Costa moved to reconsider the vote by which the Senate refused to order the bill to a third reading.

The Chair (Mr. Powers) decided that the Senator had no right to make the motion to reconsider, as he did not vote with the majority.

Mr. Porter of Contra Costa appealed, upon the ground that the ayes and noes were not taken upon the vote.

The decision of the Chair was sustained.

Mr. Bogart moved to reconsider the vote.

Carried.

The bill was then read a third time, and passed.

Assembly bill No. 183, an Act to grant the right to construct a turn-pike road in Yolo County—read third time, and passed.

Assembly bill No. 164, an Act concerning estrays—laid on the table.

REPORT.

Mr. Kutz, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and

report correctly engrossed, Senate bill No. 258, an Act concerning the publication of advertisements in the Counties of Shasta and Tehama;

Also, Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, and the several Acts amendatory thereof and supplementary thereto;

Also, Senate bill No. 274, an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras;

Also, Senate bill No. 224, an Act concerning Grand and Trial Jurors.

KUTZ, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,

April 8th, 1863. }

Mr. PRESIDENT :—The Assembly, on April seventh, passed Senate bill No. 336, an Act supplementary to an Act to authorize the Board of Supervisors of Trinity County to levy a toll on certain roads in said county, approved February twenty-first, eighteen hundred and sixty-three;

Also, passed Senate bill No. 312, an Act to define the boundary line between the Counties of San Luis Obispo and Monterey;

Also, passed Senate bill No. 283, an Act to authorize the Trustees of Petaluma to levy a tax for school purposes;

Also, passed Senate bill No. 201, an Act to authorize the construction and maintenance of a wharf in the County of Contra Costa;

Also, adopted Senate amendments to Assembly bill No. 408, an Act granting the right of way over certain lands in this State, in the County of El Dorado, for the construction of a wagon road;

Also, concurred in Senate amendments to Assembly bill No. 60, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three;

Also, adopted the report of the Committee of Free Conference on the disagreeing vote of the two Houses on Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

H. G. WORTHINGTON,

Chief Clerk.

ASSEMBLY CHAMBER,

April 8th, 1863. }

Mr. PRESIDENT :—The Assembly, on yesterday, refused to recede from its amendment to Senate bill No. 197, an Act to amend an Act, entitled an Act for the reclamation and segregation of Swamp and Overflowed Lands, and have appointed Messrs. Dudley of Solano, Keys, and Barton, a Committee of Free Conference on the part of the House, and ask the appointment of a similar committee on the part of the Senate.

H. G. WORTHINGTON,

Chief Clerk.

Messrs. Harvey, McNabb, and Shannon, were appointed, on behalf of the Senate, a Committee of Free Conference on the disagreement between the two Houses on Senate bill No. 197, above reported.

GENERAL FILE RESUMED.

Assembly bill No. 325, an Act to amend an Act entitled an Act to grant James A. and Charles J. Deering the right to construct and maintain a bridge or bridges across the Tuolumne River, approved April eighth, eighteen hundred and sixty-three—read third time, and passed.

Senate bill No. 64, an Act regulating actions affecting title or possession of real estate—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 286—laid on table.

Senate bill No. 145—laid on table.

Senate bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 296, an Act to prevent the fraudulent conveyance or encumbrance of real estate by married women—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 47, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 242—pending the consideration of the above bill, the hour arrived for considering Senate bill No. 90, an Act to provide for the improvement and protection of wharves, docks, and water front, in the City and County of San Francisco.

On motion to place the bill at top of file for Saturday, April eleventh, and order the usual number of copies printed as amended, the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Harriman, Higby, Higgins, Lewis, Perkins, Porter of Santa Cruz, Powers, and Wallis—8.

NOES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Cavis, Clark, Cunningham, Doll, Gaskill, Harvey, Hathaway, Holden, Kutz, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—25.

The question being on an amendment offered to section two, by Mr. Shannon, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Hathaway, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Doll, Higgins, Holden, Lewis, Shannon, Shurtleff, Vineyard, and Whiting—11.

NOES—Messrs. Abell, Birdseye, Booth, Cavis, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Kutz, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Porter of Santa Cruz, and Van Dyke—18.

Messrs. Crane, Perkins, Powers, and Wallis, were excused from voting.

Messrs. Higby and McCullough paired off.

Pending the consideration of the bill, Mr. Harvey gave notice of a motion to reconsider the vote by which the Senate passed Senate bill No. 64, an Act regulating actions affecting title or possession of real estate.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

Mr. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May second, eighteen hundred and sixty-two;

Also, Senate bill No. 91, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes;

Also, Senate bill No. 172, an Act to provide for the construction of a wagon road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State;

Also, Senate bill No. 175, an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador;

Also, Senate bill No. 255, an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two;

Also, Senate bill No. 265, an Act to authorize Rafaela Rodriguez de Villa, Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale;

Also, Senate bill No. 269, an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax;

Also, Senate bill No. 273, an Act authorizing J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the counties of Butte and Plumas;

Also, Senate bill No. 290, an Act to amend an Act to create a Board of Supervisors in the Counties of this State, approved March twentieth, eighteen hundred and fifty-five;

Also, Senate bill No. 298, an Act concerning the office of County Clerk of the County of Yolo;

Also, Senate bill No. 300, an Act concerning the District Assessor in the County of Yolo;

Also, Senate bill No. 314, an Act amendatory of and supplementary to an Act to incorporate the Town of Columbia, in the County of Tuolumne, approved April ninth, eighteen hundred and fifty-seven, approved March twenty-fifth, eighteen hundred and fifty-eight.

And said bills were, this day, April eighth, eighteen hundred and sixty-three, at two o'clock and five minutes, P. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

The bill was further amended in Committee of the Whole, and made the special order for Thursday, at ten o'clock and thirty minutes, A. M.,

At five o'clock and twenty minutes, P. M., on motion of Mr. Shannon, the Senate adjourned, to meet Thursday, April ninth, at ten o'clock, A. M.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
 Thursday, April 9th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

REPORTS.

Mr. Perkins, Chairman of the Committee on Finance, made the following report :

Mr. PRESIDENT:—The Committee on Finance, to whom was referred Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, A. D. eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four, have had the same under consideration, report the same back, with amendments, and recommend the passage of the bill as amended.

PERKINS, Chairman.

Assembly bill No. 354, above reported, made special order immediately after the disposal of Senate bill No. 90.

Mr. Abell, from the Committee on Military Affairs, made the following report :

Mr. PRESIDENT:—The Committee on Military Affairs, to whom was referred Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, have had the same under consideration, have agreed upon sundry amendments thereto, and have directed me to report it back, with the recommendation that it be passed as amended ;

They have also had under consideration Senate bill No. 167, and have directed me to report it back, with the recommendation that it be indefinitely postponed ;

They have also had under consideration Senate bill No. 250, and have directed me to report it back, with the recommendation that it be indefinitely postponed ;

They have also had under consideration Senate bill No. 291, and have directed me to report it back, with the recommendation that it be indefinitely postponed ;

They have also had under consideration Senate bill No. 320, and have directed me to report it back, with the recommendation that it be indefinitely postponed.

ABELL, for Committee.

Mr. Abell, Chairman of the Committee on Education, made the following report :

Mr. PRESIDENT :—The Committee on Education, to whom was referred Senate bills Nos. 27 and 53, and Assembly bills Nos. 55 and 121, have directed me to report the same back, with the recommendation that they all be indefinitely postponed, inasmuch as the objects proposed in most of them have been incorporated in another bill which has now become a law.

ABELL, Chairman.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

Mr. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 425, an Act to appropriate money to pay the claim of W. G. Wood, beg leave to report the same back, and recommend its passage.

OULTON, Chairman.

Mr. Harriman made the following report :

Mr. PRESIDENT :—The Committee of Free Conference appointed on Assembly bill No. 56, an Act to authorize A. W. Von Schmidt and his associates to lay down gas pipes in the City and County of San Francisco, recommend that the Assembly concur in Senate amendments to section six, and that section two be amended so as to read as follows :

“SECTION 2. In consideration of the rights hereby granted, the said grantees and their associates and assigns, within ten months shall commence and prosecute the work in good faith, and within two years from and after the passage of this Act, shall erect the necessary buildings and apparatus for the manufacture of at least fifty thousand cubic feet of gas in each twenty-four hours, and shall have laid down at least two miles of main pipe through the public streets of the City and County of San Francisco, and supply gas through the same. Within four years from and after the passage of this Act, the said grantees, and their associates and assigns, shall have laid down three additional miles of street main pipes, and shall at all times thereafter, during the continuance of the franchise privileges hereby granted, supply gas through the same for the use of the City and County of San Francisco and their inhabitants; *provided*, that said grantees shall not charge more than six dollars for each one thousand cubic feet of gas for the first five years, and not to exceed five dollars for each one thousand cubic feet thereafter.”

HARRIMAN,
LEWIS,
SHURTLEFF,
Senate Committee.

AMES,
SUTTON,
ORR,
Assembly Committee.

Mr. Higgins made the following report :

Mr. PRESIDENT :—The Placer delegation, to whom was referred Assembly bill No. 254, an Act to authorize Placer County to appropriate moneys from its General Fund for the support of an Agricultural Association

within the county, have considered the same, report it back, without amendment, and recommend its passage.

HIGGINS,
HARRIMAN.

Assembly bill No. 254, above reported, read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 8th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 88, an Act to define the boundary line between the Counties of Amador and El Dorado ;

Also, Senate bill No. 40, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 154, an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven ;

Also, Senate bill No. 221, an Act granting parties therein named the right to construct a wagon road from Cloverdale, in Sonoma County, to McDonald's House, in Mendocino County, and collect tolls for travelling thereon ;

Also, Senate bill No. 144, an Act to amend an Act entitled an Act to grant H. J. May, Charles M. Baxter, William Kohl, and others whom they may associate with them, and their assigns, the right to lay a railroad track along certain streets in the City of Petaluma, and through a public road in the County of Sonoma, approved April eighteenth, eighteen hundred and sixty-two.

LELAND STANFORD, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER, }
April 8th, 1863. }

MR. PRESIDENT :—The Assembly, on the fourth instant, passed Assembly bill No. 319, an Act to provide for the election of Township Assessors in the County of Alameda ;

Also, on the sixth instant, passed Assembly bill No. 485, an Act concerning the United Order of Ancient Druids ;

Also, same day, passed Assembly bill No. 406, an Act to exempt property of the California Bible Society from taxation ;

Also, same day, passed Assembly bill No. 340, an Act making the County Treasurer's office of Shasta County a salaried office ;

Also, same day, passed Assembly bill No. 324, an Act to change the name of Charles G. Scott ;

Also, same day, passed Assembly bill No. 270, an Act to provide for the election of a Board of Supervisors for the County of San Mateo ;

Also, same day, passed Assembly bill No. 80, an Act authorizing H. H. Buhne and others to erect and maintain a wharf in Humboldt County;

Also, this day, passed Senate bill No. 315, an Act to extend the time for the construction of a railroad in Contra Costa County;

Also, this day, indefinitely postponed Senate bill No. 226, an Act to provide for the support of the government of this State;

Also, this day, passed, with amendments, Senate bill No. 146, an Act concerning the Insane Asylum of California, and to provide a tax therefor;

The Assembly, on yesterday, concurred in Senate concurrent resolution No. 23, relative to Senate bill No. 295.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly concurred in amendments to Senate bill No. 146, above reported.

Assembly bill No. 340, above reported, read first and second times, and placed on file.

Assembly bill No. 324, above reported, read first and second times, and placed on file.

Assembly bill No. 406, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 485, above reported, read first and second times, and referred to the Committee on Public Morals.

Assembly bill No. 398, above reported, read first and second times, and referred to the Alameda delegation.

Assembly bill No. 270, above reported, read first and second times, and referred to the San Mateo delegation.

Assembly bill No. 80, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

SPECIAL ORDER.

The hour for the consideration of the special order having arrived, Senate bill No. 90, an Act to provide for the improvement and protection of wharves, docks, and water front, in the City and County of San Francisco—taken up, and amended in Committee of the Whole.

On the concurrence in amendment to section twenty, to wit: "Upon any portion of the water front of the City of San Francisco; nor shall any person or persons land or ship any goods, wares, or merchandise, or other thing, upon or from any portion of the said water front of said City and County of San Francisco," the ayes and noes were demanded, by Messrs. Porter of Santa Cruz, Perkins, and Shurtleff, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Birdseye, Bogart, Booth, Cavis, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Van Dyke, and Wallis—24.

NOES—Messrs. Clark, Crane, Holden, Lewis, McNabb, Perkins, Porter of Santa Cruz, and Whiting—8.

So the amendment was concurred in.

Mr. Abell offered an additional amendment, to take the place of section twenty-one, to wit :

"Section 21. The Commissioners may, in accordance with the provisions of this Act, provide for the construction of one or more dry docks, or marine railways; one, at least, of which, shall be of sufficient capacity to accommodate vessels of the largest size. No dry dock, or marine railway, together with the ways and other works connected therewith, shall extend outward from the water front a distance exceeding six hundred feet, nor occupy a distance on the water front exceeding four hundred feet. When the Commissioners shall determine that a dry dock or marine railway shall be constructed, they shall advertise as provided in section nine of this Act, stating the capacity of the dock to be constructed, and the place at which the same is to be located, and shall let the contract to the party or company making the most favorable proposal; *provided*, that no contract or lease entered into by said Commissioners shall be for a longer period than twenty-five years. No money shall ever be drawn from the 'Wharf and Dock Fund,' or 'Harbor Protection Fund,' created by this Act, for the construction of dry docks or marine railways."

On the adoption of which, the ayes and noes were demanded, by Messrs. Perkins, Oulton, and Abell, and taken, with the following result :

AYES—Messrs. Abell, Booth, Clark, Cunningham, Gaskill, Harriman, Hathaway, Higgins, Oulton, Parks, and Porter of Contra Costa—11.

NOES—Messrs. Anderson, Birdseye, Bogart, Doll, Harvey, Higby, Holden, Lewis, McNabb, Nixon, Perkins, Porter of Santa Cruz, Powers, Shurtleff, Wallis, and Whiting—16.

So the amendment was lost.

The rules were suspended, bill considered engrossed, and read third time.

On its passage, the ayes and noes were demanded, by Messrs. Whiting, Oulton, and Shannon, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Cavis, Clark, Crane, Cunningham, Doll, Gaskill, Harvey, Hathaway, Higby, Higgins, Holden, Kutz, McCullough, McNabb, Nixon, Oulton, Perkins, Porter of Contra Costa, Powers, Shannon, Shurtleff, Van Dyke, and Vineyard—29.

NOES—Messrs. Porter of Santa Cruz, and Whiting—2.

Assembly bill No. 354—ordered to top of file for Friday, April tenth.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT:—The Committee on Commerce and Navigation have had under consideration Assembly bill No. 169, entitled an Act to establish Pilots and pilot regulations for the Port of San Francisco, approved May twentieth, eighteen hundred and sixty-one, and beg leave to report the same back, with an amendment in addition to one previously recommended by your committee, and approve its passage as amended; and your committee further request that the bill be returned to the same position on the general file which it occupied before its re-commitment, on the seventh instant;

Also, Senate bill No. 78, entitled an Act authorizing the maintaining of a marine railway in the City and County of San Francisco, with a substitute, offered for their consideration by Senator Holden, and beg leave to report the same back, without recommendation;

Also, Senate bill No. 98, entitled an Act to improve the navigation of San Antonio Creek, and beg leave to report the same back, without recommendation.

CLARK, Chairman.

Mr. Harvey, pursuant to notice, moved to reconsider the vote by which Assembly bill No. 64, an Act regulating actions affecting title or possession of real estate, was, on yesterday, passed.

On motion of Mr. Doll, the motion to reconsider was made the special order for Tuesday next, at two o'clock, P. M.

Messrs. Oulton, Abell, Parks, and Birdseye, were each granted three days leave of absence.

Mr. Porter of Santa Cruz moved a call of the Senate.

Carried.

Absent without leave: Messrs. Booth, Crane, Gaskill, and Harriman.

On motion of Mr. Perkins, further proceedings under the call were suspended.

REPORTS.

Mr. Kutz, from the Committee on Engrossment, made the following report:

MR. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County;

Also, Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct a wharf at the western end of the Encinal of San Antonio, in Alameda County;

Also, Senate bill No. 330, an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for the purposes therein named;

Also, Senate bill No. 325, an Act to amend an Act entitled an Act to give to proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight;

Also, Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

KUTZ, for Committee.

Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Crane, Bogart, and Nixon, and taken, with the following result:

AYES—Messrs. Clark, Cunningham, Gaskill, Hathaway, Higgins, and Van Dyke—6.

NOES—Messrs. Anderson, Baker, Bogart, Crane, Doll, Harvey, Higby, Holden, Lewis, McCullough, McNabb, Nixon, Perkins, Porter of Contra Costa, Shannon, Shurtleff, Vineyard, and Wallis—18.

So the motion to indefinitely postpone was lost, and the bill ordered engrossed, and read third time.

The report of the Committee of Free Conference on Assembly bill No. 56, was taken up and adopted.

Assembly bill No. 234, an Act to provide for the payment of certain legal expenses incurred by the State—amended, read third time, and passed.

Mr. Cunningham, from the Committee of Free Conference, made the following report :

MR. PRESIDENT :—The Committee of Free Conference on the disagreeing vote of the two Houses on Senate bill No. 327, have had the same under consideration, and recommend that the Senate concur in Assembly amendments to said bill, and also recommend that section one be further amended by striking out "their next regular" and inserting "any," and also by striking out of said section one the words "or at any meeting specially called for that purpose."

CUNNINGHAM,

For Senate Committee.

ADKISON,

For Assembly Committee.

Report adopted.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 342, an Act to amend section two of an Act entitled an Act extending the privileges of the Homestead Law to certain persons, and to regulate the creation of the same, approved March thirteenth, eighteen hundred and sixty, having had the same under consideration, report it back, with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 343, an Act to punish persons sympathizing with traitors, report the same back, amended, and recommend its passage as amended ;

Also, Senate bill No. 341, an Act to provide for a State Gauger, report it back, amended, and passage recommended as amended.

VAN DYKE, Chairman.

GENERAL FILE.

Senate bill No. 321, an Act to provide for the leasing and maintenance of wharves belonging to this State in the harbor of San Francisco—laid on the table.

Assembly bill No. 207—ordered to top of file for Tuesday, April fourteenth.

Senate bill No. 278—ordered to top of file for Tuesday, April fourteenth.

Senate bill No. 169, an Act to amend an Act entitled an Act to establish Pilots and pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one—amended, read third time, and passed.

Assembly bill No. 129, an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto—read third time, and passed.

Senate bill No. 310, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 337—ordered to top of file for to-morrow.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
April 9th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, adopted the report of the Committee of Free Conference on amendments to Assembly bill No. 56, an Act to authorize A. W. Von Schmidt and his associates to lay down gas pipes in the City and County of San Francisco;

Also, on April sixth, passed Assembly bill No. 338, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, on same day, Assembly bill No. 442, an Act to authorize the sale of certain property of Jesse Cope, and other minors;

Also, on same day, Assembly bill No. 343, an Act concerning roads and highways in the County of Fresno;

Also, on April ninth, Senate bill No. 275, an Act to amend an Act entitled an Act concerning Judges of the Plains, (Jueces del Campo,) and defining their duties, passed April twenty-fifth, eighteen hundred and fifty-one;

Also, on same day, passed, with amendments, Senate bill No. 289, an Act to authorize the Board of Supervisors of the County of Alameda to take and subscribe two hundred and twenty thousand dollars to the capital stock of the Alameda Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate bill No. 289, above reported, Assembly amendments concurred in.

Assembly bill No. 338, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 442, above reported, read first and second times, and placed on file.

Assembly bill No. 343, above reported, read first and second times, and referred to the Fresno delegation.

Assembly bill No. 376, an Act concerning estrays and animals found running at large in the County of Santa Clara, was taken from the table, and referred to the Santa Clara delegation.

Assembly bill No. 340, an Act making the office of County Treasurer of Shasta County a salaried office, was taken from the file, and referred to the Shasta delegation.

At four o'clock and fifteen minutes, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,
President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Friday, April 10th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read.

REPORTS.

Mr. Shurtleff made the following report :

MR. PRESIDENT :—The Shasta delegation, to whom was referred Assembly bill No. 340, an Act making the office of County Treasurer of Shasta County a salaried office, report the same back, and recommend its passage.

SHURTLEFF, for Delegation.

Assembly bill No. 340, above reported, taken up, read third time, and passed.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :—The Committee on Corporations have had under consideration Senate bill No. 329, an Act to protect creditors of corporations, and report the same back, with amendment, and recommend the passage of the same as amended.

WHITING, Chairman.

Mr. Booth made the following report :

MR. PRESIDENT :—The Sacramento delegation, to whom was referred Senate bill No. 306, an Act providing for the government of the County of Sacramento, have had the same under consideration; and report it back, with amendments, and recommend its passage as amended.

NIXON,
BOOTH.

Senate bill No. 306, above reported, was taken up, amended, rules suspended, considered engrossed, read third time, and passed, and ordered transmitted immediately to the Assembly.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 184, an Act to authorize John F. Hill, William Bryan, James P. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect tolls thereon;

Also, Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco.

KUTZ, for Committee.

Mr. McCullough reported verbally, without recommendation, Assembly bill No. 249, an Act to amend an Act entitled an Act relating to the Thirteenth Judicial District, and to determine the time of holding the Courts in said district, approved May second, eighteen hundred and sixty-two.

Mr. Cunningham, from the Committee on Public Morals, made the following report :

MR. PRESIDENT :—The Committee on Public Morals, to whom was referred Assembly bill No. 485, an Act concerning the United Order of Ancient Druids, have had the same under consideration, and report the same back, without amendment, and recommend its passage.

CUNNINGHAM, for Committee.

Assembly bill No. 485, above reported, was taken up, read third time, and passed.

Mr. Baker made the following report :

MR. PRESIDENT :—The Tulare delegation, to whom was referred Assembly bill No. 261, have had the same under consideration, and report the same back to the Senate, with amendments, and recommend its passage as amended.

BAKER, of Delegation.

Assembly bill No. 261, above reported, taken up, amended, read third time, and passed.

Mr. Shannon, by leave, introduced a bill for an Act to appropriate money for the purpose of aiding in the construction of the monument to the late Hon. D. C. Broderick.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 479, an Act for the relief of the family of Colonel Roderick Matheson, taken from the file, read third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

April 10th, 1863. }

MR. PRESIDENT :—The Assembly, on the ninth instant, passed Assembly bill No. 415, an Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco ;

Also, Assembly bill No. 158, an Act granting the right to construct and maintain a railroad on certain streets therein named in the City and County of San Francisco ;

Also, Assembly bill No. 231, an Act to provide for the construction of a street railroad and tunnel through Russian Hill, in the City and County of San Francisco.

H. G. WORTHINGTON,

Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 415, above reported, read first and second times, and placed on file.

Assembly bill No. 158, above reported, read first and second times, and placed on file.

Assembly bill No. 231, above reported, read first and second times, and placed on file.

Mr. Shannon asked leave to introduce a bill for an Act to regulate primary elections, to punish frauds thereat, and in State or county conventions or associations, or any legislative convention or caucus.

On which leave, the ayes and noes were demanded, by Messrs. Holden, Doll, and Bogart, and taken, with the following result :

AYES—Messrs. Anderson, Bogart, Booth, Clark, Crane, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Higby, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—26.

NOES—Messrs. Baker, and Powers—2.

The bill was read first and second times, and referred to the Judiciary Committee, with instructions to report to-morrow.

Mr. Gaskill, by leave, introduced a bill for an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Judiciary Committee, with instructions to report to-morrow.

Mr. Harvey offered a concurrent resolution authorizing the payment of fifty dollars out of the Swamp Land Fund to George R. Moore, for services rendered.

Referred to the Committee on Swamp and Overflowed Lands.

GENERAL FILE.

Senate bill No. 325, an Act to amend an Act entitled an Act to give to proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight—read third time, and passed.

Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County—read third time, and passed.

Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco.

Mr. Clark moved to re-commit to the Committee on Commerce and Navigation, with special instructions, to wit: To so amend the bill that the wharf franchise hereby granted shall revert to the Harbor Commissioners, in trust to the State, at the end of five years, reserving to the grantees the franchise hereby granted to moor the dry dock at the end of said wharf for the twenty-five years, as hereby granted.

On which, the ayes and noes were demanded, by Messrs. Clark, Gaskill, and Hathaway, and taken, with the following result :

AYES—Messrs. Cavis, Clark, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, Porter of Contra Costa, Powers, and Whiting—14.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Crane, Doll, Holden, McNabb, Nixon, Perkins, Porter of Santa Cruz, Shannon, Shurtleff, and Wallis—14.

On motion of Mr. Perkins, the vote by which the bill was, on yesterday, ordered engrossed and read third time, was reconsidered.

On the motion to make the bill the special order for three o'clock, P. M., the ayes and noes were demanded, by Messrs. Gaskill, McCullough, and Shurtleff, and taken, with the following result :

AYES—Messrs. Baker, Bogart, Doll, Harriman, Holden, Lewis, Perkins, Porter of Santa Cruz, and Shurtleff—9.

NOES—Messrs. Anderson, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, Kutz, McCullough, Porter of Contra Costa, Powers, Van Dyke, Wallis, and Whiting—14.

So the motion was lost.

The bill was ordered to top of file for Tuesday, April fourteenth.

Senate bill No. 184, an Act to authorize John F. Hill, William Bryan, James P. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect tolls thereon—read third time, and passed.

Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, A. D., eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four.

Pending the consideration of the bill, the hour arrived for the consideration of Assembly bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary lines of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine.

On motion of Mr. Doll, the bill was made the special order for to-morrow, at two o'clock, P. M.

Assembly concurrent resolution No. 49, concerning the correction of a clerical error, was taken up, by leave, and adopted.

The consideration of Assembly bill No. 354, was resumed—amended, and made the special order for Saturday, April eleventh, at half past eleven o'clock, A. M.

Assembly bill No. 415, an Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco—read third time, and passed.

Mr. Harriman, by leave, introduced a bill for an Act relative to the election of District Tax Collectors and Assessors in the County of Placer.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 10th, 1863. }

MR. PRESIDENT:—The Assembly, this day, adopted Senate concurrent resolution No. 24, authorizing the Controller of State to collate the laws of the State relating to the levying of taxes and collection of revenue ;

Also, same day, passed Senate bill No. 274, an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras ;

Also, same day, passed Senate bill No. 322, an Act to make certain offices in the County of Calaveras salaried offices;

Also, same day, concurred in Senate amendments to Assembly bill No. 96, an Act to ratify and confirm a certain ordinance passed by the Common Council of the City of Oakland, and approved by the Mayor of said city November twentieth, eighteen hundred and sixty-one;

Also, April eighth, passed Assembly bill No. 445, an Act making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three;

Also, April tenth, passed Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, same day, amended and passed Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct a wharf at the western end of the Encinal of San Antonio, in Alameda County;

Also, same day, passed Senate bill No. 334, an Act fixing the time for holding the terms of the District Court in Lake County;

Also, same day, passed Senate bill No. 346, an Act to confer further powers upon the Board of Supervisors of Lake County.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 10th, 1863. }

Mr. PRESIDENT:—The Assembly, April ninth, passed Senate bill No. 263, an Act to legalize a survey of Green's Addition to the town of Santa Rosa, in Sonoma County;

Also, same day, adopted Assembly concurrent resolution No. 40, concerning the correction of a clerical error;

Also, April fourth, passed Assembly bill No. 411, an Act to regulate the fees of officers in the County of Alameda;

Also, April eighth, passed Assembly bill No. 426, an Act to authorize the City and County of Sacramento to subscribe to the capital stock of the Central Pacific Railroad Company of California, and providing for the payment of the same, and other matters relating thereto;

Also, April ninth, passed, with amendments, Senate bill No. 304, an Act to provide for the construction of a State Capitol building in the City of Sacramento;

Also, this day, passed Senate bill No. 348, an Act to appropriate money for the purpose of aiding in the construction of a monument to the late Hon. D. C. Broderick.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 10th, 1863. }

Mr. PRESIDENT:—The Assembly, April fourth, passed Assembly bill No. 293, an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 445, above reported, read first and second times, and ordered to top of the file for Saturday, April eleventh.

Senate bill No. 318, above reported, Assembly amendments concurred in.

Senate bill No. 304, above reported, Assembly amendments concurred in.

Assembly bill No. 293, above reported, read first and second times, and referred to the Alameda delegation.

Assembly bill No. 411, above reported, read first and second times, and referred to the Alameda delegation.

Assembly bill No. 426, above reported, read first and second times, and referred to the Sacramento delegation.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 23, relative to Senate bill No. 295;

Also, Senate bill No. 112, an Act to define the boundary line of El Dorado County;

Also, Senate bill No. 183, an Act to fix the salary of the District Attorney of the County of Shasta;

Also, Senate bill No. 203, an Act to authorize the Supervisors of Placer County to audit and allow the claim of George L. Anderson;

Also, Senate bill No. 231, an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty;

Also, Senate bill No. 252, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State;

Also, Senate bill No. 295, an Act supplemental to and explanatory of an Act entitled an Act to allow James E. Nuttman and Marcus Harlow, and their assigns, to construct and maintain a toll road in the County of San Mateo;

Also, Senate bill No. 303, an Act to authorize the Board of Supervisors of Butte County to loan certain money;

Also, Senate bill No. 307, an Act to amend an Act entitled an Act concerning roads and highways in the County of Mariposa, approved April tenth, eighteen hundred and sixty-two;

Also, Senate bill No. 348, an Act to appropriate money for the purpose of aiding in the construction of the monument to the late Hon. D. C. Broderick;

And this day, April tenth, eighteen hundred and sixty-three, at two o'clock, P. M., delivered the above bills to the Governor for his approval.

HIGGINS, Chairman.

On motion of Mr. Powers, at five o'clock and thirty-five minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, April 11th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hill.

Journal of yesterday read and approved.

GENERAL FILE.

Assembly bill No. 53, an Act to authorize William F. Nelson and his associates to lay down and maintain a railroad within the City and County of San Francisco—amended, read third time, and passed.

Assembly bill No. 158, an Act granting the right to construct and maintain a railroad on certain streets therein named, in the City and County of San Francisco—read third time, and passed.

Assembly bill No. 231, an Act to provide for the construction of a street railroad and tunnel through Russian Hill, in the City and County of San Francisco—read third time, and passed.

Senate bill No. 338, an Act to authorize the issue of duplicates of certain land warrants to Charles B. Grant—taken from the file, rules suspended, considered engrossed, read third time, and passed.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred Assembly bill No. 406, an Act to exempt the property of the California Bible Society from taxation, having had the same under consideration, report it back without recommendation;

Also, Assembly bill No. 338, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, report it back, and recommend its passage;

Also, Senate bill No. 350, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto, report it back without recommendation;

Also, Senate bill No. 340, an Act to declare the operation and effect of certain deeds of confirmation and further assurance, report it back, and recommend that it do not pass;

Also, Senate bill No. 278, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto, report it back, and recommend it do not pass;

Also, Assembly bill No. 478, an Act concerning the terms of the Courts of the Sixth Judicial District, report it back without recommendation;

Also, Senate bill No. 349, an Act to regulate primary elections, to punish frauds thereat, and in State and county conventions or associations, or any legislative convention or caucus, report it back without recommendation;

Also, Senate bill No. 251, an Act supplementary to and amendatory of an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and all Acts amendatory of and supplementary thereto, report it back without recommendation;

Also, report of the Attorney-General to the Legislature, in accordance with the joint resolution of the two Houses, March twenty-fifth, eighteen hundred and sixty-three, report the same back without any recommendation. An Act has been passed for the purpose of remedying the present difficulty in regard to the title to lands necessary for the use of the State Prison, by amending the Act of eighteen hundred and fifty-nine, authorizing a proceeding to condemn said lands.

VAN DYKE, Chairman.

Mr. Holden, Chairman of the Committee on Public Lands, made the following report:

MR. PRESIDENT:—The Committee on Public Lands, to whom was referred Assembly bill No. 268, an Act authorizing the issuance of duplicate school land warrants to Mary Ann Lee, have had the same under consideration, and report the bill back to the Senate, with a recommendation that it lay on the table.

HOLDEN, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report:

MR. PRESIDENT:—Your Committee on Commerce and Navigation have had under consideration Assembly bill No. 80, an Act entitled an Act authorizing H. H. Buhne and others to erect and maintain a wharf in Humboldt County, and beg leave to report the same back, and recommend its passage.

CLARK, Chairman.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:—The Committee on Corporations, to whom was referred Assembly bill No. 387, an Act supplementary to an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, have had the same under consideration, and report the same back, recommending its passage.

WHITING, Chairman.

Mr. Harvey made the following report:

MR. PRESIDENT:—The El Dorado delegation, to whom was referred Assembly bill No. 337, an Act to regulate the fees of Constables of El Dorado County, have had the same under consideration, and report the same back, and recommend its passage, without amendment.

HARVEY, for Delegation.

Mr. Nixon made the following report:

MR. PRESIDENT:—The Sacramento delegation, to whom was referred Assembly bill No. 388, an Act granting the right to construct and maintain a bridge across the Cosumnes River, in the County of Sacramento, have had the same under consideration, and recommend its passage.

NIXON,
BOOTH.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, A. D. eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four—was taken up, and further amended in Committee of the Whole.

On concurring in the amendment to strike out the words "For the State Normal School, six thousand dollars," the ayes and noes were demanded, by Messrs. McNabb, Kutz, and Shurtleff, and taken, with the following result:

AYES—Messrs. Booth, Cunningham, Doll, Gaskill, Harriman, Harvey, Higby, McCullough, McNabb, Van Dyke, and Wallis—11.

NOES—Messrs. Anderson, Baker, Bogart, Cavis, Clark, Crane, Hathaway, Higgins, Holden, Kutz, Lewis, Nixon, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, and Whiting—19.

So the amendment was not concurred in.

On the motion to strike out "six thousand," in the above amendment, and insert "three thousand," the ayes and noes were demanded, by Messrs. McNabb, Hathaway, and Wallis, and taken, with the following result:

AYES—Messrs. Booth, Cavis, Cunningham, Gaskill, Harvey, Higby, Lewis, McCullough, McNabb, Powers, and Wallis—11.

NOES—Messrs. Baker, Bogart, Clark, Hathaway, Higgins, Holden, Kutz, Nixon, Porter of Contra Costa, Saxton, Shannon, and Whiting—12.

So the amendment to strike out "six" and insert "three" was lost.

On motion of Mr. Harvey, "six" was stricken out, and "four" inserted.

On the motion to strike out the words "four thousand four hundred and ninety" and insert "three thousand," for the appropriation of the Magdalen Asylum, the ayes and noes were demanded, by Messrs. Lewis, Gaskill, and Whiting, and taken, with the following result:

AYES—Messrs. Booth, Cunningham, Doll, Harvey, Higgins, Kutz, McCullough, and Nixon—8.

NOES—Messrs. Baker, Bogart, Cavis, Clark, Gaskill, Harriman, Hathaway, Higby, Holden, Lewis, McNabb, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, and Whiting—17.

So the amendment was not concurred in.

On concurring in the amendment to strike out all that part making appropriations for the District and County Agricultural Societies, the ayes and noes were demanded, by Messrs. Harvey, Doll, and Holden, and taken, with the following result:

AYES—Messrs. Anderson, Gaskill, Lewis, McCullough, Oulton, Powers, Van Dyke, and Wallis—8.

NOES—Messrs. Bogart, Cavis, Clark, Cunningham, Doll, Harriman, Harvey, Higgins, Holden, McNabb, Nixon, Porter of Contra Costa, Saxton, Shannon, and Whiting—15.

So the amendment was not concurred in.

Further amendments were concurred in, and the bill read third time, and passed.

Assembly bill No. 319—taken from the file, and ordered to top of file for Tuesday, April fourteenth.

Assembly bill No. 287—taken from the file, and ordered to top of file for Wednesday, April fifteenth.

Mr. Whiting made a verbal report, recommending the passage of a substitute for Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

REPORTS.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration the claim of Gregory Yale, for services rendered the State as Assistant Counsel in contesting the Broderick will case, and report the same back, with accompanying bill, without recommendation.

OULTON, Chairman.

The Committee on Claims, by leave, introduced a bill for an Act to pay the claim of Gregory Yale.

Read first and second times, and placed on file.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers.

And the same was, this day, April eleventh, eighteen hundred and sixty-three, at one o'clock and ten minutes, P. M., delivered to the Governor for his approval.

HIGGINS, Chairman.

GENERAL FILE RESUMED.

Assembly bill No. 381—returned to file.

Senate bill No. 292, an Act to amend an Act to provide revenue for the support of the government of the State, approved May seventeenth, eighteen hundred and sixty-one—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 400, (the special order for two o'clock, P. M., to-day,) made the special order for Tuesday, April fourteenth, at 2 o'clock, P. M.

REPORTS.

Mr. Kutz, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one ;

Also, Senate bill No. 240, an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe twenty-five thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same.

KUTZ, for Committee.

Mr. Wallis, from the Committee on Enrolment, made the following report :

Mr. PRESIDENT :—The Committee on Enrolment beg leave to submit the following resolution :

Resolved. That the Assistant Enrolling Clerks, the Assistant Engrossing Clerks, and the Clerk to the Sergeant-at-Arms, are hereby allowed the same pay as the Copying Clerks of the Senate, from the date of their appointment.

HIGGINS,
Chairman.
WALLIS,
CLARK,
HOLDEN,
OULTON,
PORTER.

Resolution adopted.

GENERAL FILE RESUMED.

Assembly bill No. 445, an Act making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three—referred to the Finance Committee.

Senate bill No. 267, an Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turnpike road in the Counties of Sonoma and Mendocino—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 337, an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act amendatory of an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities—substitute adopted, and ordered to top of file for Tuesday, April fourteenth.

Assembly bill No. 342, an Act to pay the claim of D. Z. Moore—read third time, and passed.

Assembly bill No. 525, an Act to appropriate money to pay a certain claim—read third time, and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

OFFICE BOARD OF EXAMINERS,
Sacramento, April 11th, 1863. }

To the Honorable the Senate of California :

I herewith transmit to your honorable body the following claim, which has been approved by the Board of Examiners, viz. :

Robert Robinson vs. The State, for services and expenses as Agent of the State of California, on the boundary line, seven hundred and fifty dollars.

Referred to the Committee on Claims.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 10th, 1863. }

To the Honorable the Senate of California :

I have the honor to inform your honorable body that I have approved Senate bill No. 127, an Act amendatory of and supplemental to an Act entitled an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties on the Controller and Treasurer, approved April twenty-first, A. D. eighteen hundred and fifty-eight ;

Also, Senate bill No. 276, an Act to authorize the California Central Railroad Company to hold an election.

LELAND STANFORD, Governor.

Senate bill No. 311—returned to file.

Senate bill No. 342—returned to file.

Assembly bill No. 91—returned to file.

At two o'clock and fifty minutes, p. m., on motion of Mr. Powers, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER, }
Monday, April 13th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Journal of Saturday last read and approved.

REPORTS.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :—The Committee on Corporations, to whom was referred Assembly bill No. 447, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, have had the same under consideration, and report it back, recommending its passage.

WHITING, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 310, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress.

KUTZ, for Committee.

Bill above reported, vote on passage being reconsidered, was referred to Judiciary Committee.

Mr. Porter of Contra Costa, from the Committee on Public Buildings, made the following report :

MR. PRESIDENT :—Your Committee on Public Buildings, to whom was referred Senate bill No. 257, an Act amendatory of and supplemental to an Act entitled an Act for the education of the indigent Deaf, Dumb, and Blind in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one, report the same back, with a substitute for the entire bill, and recommend the adoption of the substitute.

PORTER of Contra Costa, for Committee.

Mr. Powers moved to reconsider the vote by which the Senate passed, on Saturday, a resolution giving additional pay to certain Clerks.

The Chair ruled the motion out of order, as Mr. Powers was not in the Senate at the time.

Mr. Higby then moved to reconsider.

The motion was declared out of order, as the resolution was out of the possession of the Senate.

Mr. Gaskill made the following report :

MR. PRESIDENT :—The Butte delegation, to whom was referred Assembly bill No. 100, beg leave to report the same back, with amendments, and recommend its passage as amended.

GASKILL, for Delegation.

Mr. McNabb made the following report :

MR. PRESIDENT :—The Sonoma delegation have had under consideration Assembly bill No. 456, an Act to authorize the Board of Supervisors of Sonoma County to levy an additional tax for road purposes, and recommend its passage.

M McNABB, for Delegation.

Mr. Porter of Contra Costa made a verbal report, recommending the passage of Assembly bill No. 428, an Act to regulate the fees in office in the County of Contra Costa.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
April 11th, 1863. }

Mr. PRESIDENT :—The Assembly, on the ninth of April, passed Assembly bill No. 173, an Act for the relief of the enlisted men of the California Volunteers in the service of the United States ;

Also, on April tenth, passed Assembly bill No. 277, an Act to provide for a railroad within the City and County of Sacramento ;

Also, on April ninth, passed Assembly bill No. 420, an Act to appropriate money to pay a claim arising under a Commission authorized by the Assembly at the thirteenth session of the Legislature to take testimony in the contested election of Gordon vs. McAllister ;

Also, on April eighth, passed Assembly bill No. 473, an Act to amend an Act entitled an Act concerning the construction and repair of levees in the County of Sacramento, and the mode of raising revenue therefor, approved April ninth, eighteen hundred and sixty-three ;

Also, on April ninth, passed Assembly bill No. 463, an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two ;

Also, on same day, passed Assembly bill No. 488, an Act to authorize William O'Connell and his assigns to build a wharf at or near Slaughter House Point, in Contra Costa County, now in the possession of William O'Connell ;

Also, on same day, passed Assembly bill No. 490, an Act to amend an Act to authorize and require the Board of Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highways connecting Napa City and Lakeport.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly bill No. 173, above reported, read first and second times, and referred to the Military Committee.

Assembly bill No. 277, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 473, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 420, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 463, above reported, read first and second times, and ordered on file.

Assembly bill No. 488, above reported, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 490, above reported, read first and second times, and referred to the Napa delegation.

Mr. Shurtleff was granted two days leave of absence, and all other absentees at roll call, one day each.

Mr. Saxton, by leave, introduced a bill for an Act to authorize the Board of Supervisors of El Dorado County to lease the Branch Wagon Road in said county for a term of years.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 449, an Act to provide for the construction of a railroad from Wilmington to Los Angeles, in the County of Los Angeles—taken from the file, amended, read third time, and passed.

Assembly bill No. 406, an Act to exempt the property of the California Bible Society from taxation—read third time, and passed.

Mr. Nixon made a verbal report, presenting, with amendments, Assembly bill No. 426, an Act to authorize the City and County of Sacramento to subscribe to the capital stock of the Central Pacific Railroad Company of California, and providing for the payment of the same, and other matters relating thereto.

Assembly bill No. 426, above reported, taken up, amended, read third time, and passed.

GENERAL FILE.

Senate bill No. 311, an Act to provide for an increase of pay of volunteers in the service of the United States mustered into service in this State, and to create a Fund for the payment of the same—referred to the Committee on Military Affairs.

Senate bill No. 251, an Act supplementary to and amendatory of an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplementary thereto—laid on the table.

Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto—read third time, and passed.

Assembly bill No. 242, an Act in addition to an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplemental thereto—amended.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Shannon, McCullough, and McNabb, and taken, with the following result :

AYES—Messrs. Bogart, Cunningham, Gaskill, and Holden—4.

NOES—Messrs. Anderson, Booth, Chamberlain, Clark, Harriman, Harvey, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Van Dyke, and Whiting—20.

So the motion to indefinitely postpone was lost.

On the final passage, the ayes and noes were demanded, by Messrs. McNabb, Gaskill, and Shannon, and taken, with the following result :

AYES—Messrs. Anderson, Booth, Chamberlain, Clark, Gaskill, Harriman, Harvey, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Powers, Saxton, Shannon, Van Dyke, and Whiting—18.

NOES—Messrs. Cunningham, and Porter of Contra Costa—2.

Mr. Gaskill gave notice of a motion to reconsider.

Assembly bill No. 381, an Act fixing the mileage of the several County Treasurers of this State—laid on the table.

Assembly bill No. 62, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 418, an Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—read third time, and passed.

Assembly bill No. 288, an Act to receive and pay for certain books relating to the war debt of this State.

On the final passage of the bill, the ayes and noes were demanded, by Messrs. McNabb, Gaskill, and Wallis, and taken, with the following result:

AYES—Messrs. Booth, Doll, Harvey, Higgins, Holden, Nixon, Oulton, Powers, Saxton, Shannon, Van Dyke, Wallis, and Whiting—13.

NOES—Messrs. Chamberlain, Clark, Cunningham, Gaskill, McCullough, and McNabb—6.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, Senate bill No. 159, an Act to fund the indebtedness of Calaveras County;

Also, Senate bill No. 177, an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county;

Also, Senate bill No. 189, an Act to provide for the retention of hides of cattle killed or slaughtered in certain counties of this State;

Also, Senate bill No. 201, an Act to authorize the construction and maintenance of a wharf in the County of Contra Costa;

Also, Senate bill No. 283, an Act to authorize the Trustees of Petaluma School District to levy a tax for school purposes;

Also, Senate bill No. 308, an Act authorizing the Board of Supervisors of Butte County to appropriate money;

Also, Senate bill No. 312, an Act to define the boundary line between the Counties of San Luis Obispo and Monterey;

Also, Senate bill No. 315, an Act to extend the time for the construction of a railroad in Contra Costa County;

Also, Senate bill No. 336, an Act supplementary to an Act to authorize the Board of Supervisors of Trinity County to levy a toll on certain roads in said county, approved February twenty-first, eighteen hundred and sixty-three;

And your Committee further report, that Senate bill No. 289, an Act to authorize the Board of Supervisors of the County of Alameda to take and subscribe two hundred and twenty thousand dollars to the capital stock of the Alameda Valley Railroad Company, etc., which bill was never engrossed, but was so considered, has been out of the hands of all officers of the Senate for the period of four or five days, and there are a number of interlineations in the same, as it is returned to the Committee; if the same as returned is correct, then the bill is correctly enrolled.

And this day, April thirteenth, A. D. eighteen hundred and sixty-

three, at half past one o'clock, P. M., the above bills were delivered to the Governor for his approval.

HIGGINS, Chairman.

GENERAL FILE RESUMED.

Senate bill No. 335, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to charge and collect toll for travel thereon—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 261, an Act to provide for the compensation of the School Directors of the City and County of San Francisco—indefinitely postponed.

Senate bill No. 313, an Act authorizing the Western Pacific Railroad Company to change the *termini* and route of their railroad, and other matters relating thereto—indefinitely postponed.

Senate bill No. 212, proposed Amendments to the Constitution of the State of California—returned to the file.

Assembly bill No. 382, an Act to grant to the Bidwell Bridge Company the right to keep and maintain their present bridge across the Feather River, at the Town of Bidwell, Butte County, in this State, as a toll bridge, and to reconstruct the same.

Mr. Chamberlain moved to indefinitely postpone the bill.

Upon which, the ayes and noes were demanded, by Messrs. Shannon, Whiting, and McNabb, and taken, with the following result:

AYES—Messrs. Cunningham, Kutz, and Powers—3.

NOES—Messrs. Anderson, Bogart, Booth, Cavis, Chamberlain, Clark, Doll, Gaskill, Harriman, Harvey, Higby, Higgins, McCullough, McNabb, Nixon, Oulton, Porter of Contra Costa, Saxton, Shannon, Van Dyke, Wallis, and Whiting—22.

The bill was amended, read third time, and passed.

Senate bill No. 206, an Act to provide for paying certain demands, issued on the faith and credit of the State, which became due and payable on the second day of May, eighteen hundred and sixty-two, and to contract a funded debt for that purpose—ordered to top of file for Wednesday next.

Senate bill No. 301, an Act to authorize the persons therein named, their associates, successors, and assigns, to improve and use the Truckee River.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Kutz, Oulton, and Harvey, and taken, with the following result:

AYES—Messrs. Anderson, Cavis, Chamberlain, Clark, Cunningham, Doll, Gaskill, Harriman, Harvey, Higby, Holden, Kutz, McCullough, Oulton, Porter of Contra Costa, Powers, Van Dyke, and Wallis—18.

NOES—Messrs. Bogart, Booth, Higgins, McNabb, and Shannon—5.

So the bill was indefinitely postponed.

Assembly bill No. 468, an Act to prevent the arming or equipping, within the jurisdiction of this State, of vessels for piratical or privateering purposes, and other treasonable conduct—read third time, and passed.

On motion of Mr. Harvey, Assembly bill No. 287, an Act to provide for the reclamation of the Swamp and Overflowed Lands, donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty, was ordered placed at top of file for Wednesday, April fifteenth.

Assembly bill No. 348, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco—amended, read third time, and passed.

Assembly bill No. 314, an Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 328, an Act to grant the right to construct a toll bridge across Feather River, near Oroville, in Butte County—read third time, and passed.

Assembly bill No. 337, an Act to regulate the fees of Constables of El Dorado County—read third time, and passed.

Assembly bill No. 330, an Act to exclude traitors and alien enemies from the Courts of Justice in civil cases—amended, read third time, and passed.

Assembly bill No. 442, an Act to authorize the sale of certain property of Jesse Cope, and other minors—read third time, and passed.

The general file was suspended until the regular order of business had been gone through with.

Mr. Powers offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby directed not to issue certificates for the extra pay allowed to Assistant Engrossing and Enrolling Clerks and Clerk of the Sergeant-at-Arms by a resolution passed April eleventh, eighteen hundred and sixty-three, and he is hereby further directed to return to the Secretary of the Senate the certified copy of said resolution.

Resolved, That the resolution of this Senate, allowing extra pay to the Assistant Engrossing and Enrolling Clerks and the Clerk of the Sergeant-at-Arms, adopted April eleventh, eighteen hundred and sixty-three, be and the same is hereby rescinded.

Pending the consideration of the resolution, Mr. Doll moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Chamberlain, Nixon, and Powers, and taken, with the following result :

AYES—Messrs. Doll, McNabb, and Van Dyke—3.

NOES—Messrs. Anderson, Booth, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Harvey, Higby, Higgins, Kutz, McCullough, Nixon, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Wallis, and Whiting—21.

On the motion to indefinitely postpone the resolution, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Wallis, and taken, with the following result :

AYES—Messrs. Anderson, Booth, Clark, Doll, Gaskill, Harriman, Harvey, Higby, Higgins, McCullough, McNabb, Oulton, Porter of Contra Costa, Shannon, Van Dyke, and Wallis—16.

NOES—Messrs. Chamberlain, Cunningham, Kutz, Nixon, Powers, and Whiting—6.

So the resolution was indefinitely postponed.

At four o'clock and forty-five minutes, P. M., on motion of Mr. Powers, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 14th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmv.

Journal of yesterday read and approved.

REPORTS.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. PRESIDENT :—The Committee on Swamp and Overflowed Lands, to whom was referred Senate concurrent resolution No. 25, relative to the claim of George R. Moore, have had the same under consideration, and report the same back, with a bill embodying the amount of said claim, and recommend the passage of the bill.

HARVEY, Chairman.

The Committee on Swamp and Overflowed Lands, by leave, introduced a bill for an Act to authorize the Board of Swamp Land Commissioners to allow the claim of George R. Moore.

Read three times, and passed.

Mr. Porter of Contra Costa, by leave, offered the following resolution :

WHEREAS, Senate bill No. 6 having passed the Assembly, on the seventh instant, has never been reported to the Senate, and is not to be found among the files of the Assembly ; therefore,

Resolved, That the Secretary be directed to report the original Senate bill, as amended, to the Assembly, with a request that the Clerk be authorized to make the proper indorsements, and return it immediately to the Senate.

Adopted.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report :

Mr. PRESIDENT:—The Committee on Contingent Expenses have examined, and found correct, the following bills:

Sacramento Union.....	\$81 42
Spirit of the Times.....	18 00
Solano Herald.....	11 25
Geo. I. Lytle, (newspapers and sundries,).....	439 91
Total.....	\$550 58

[Lytle's bill, above, includes the bills of the following newspapers: California Republican, sixteen dollars and eighty-seven cents; Sunday Mercury, five dollars and sixty cents; Placerville News, thirteen dollars and seventy-five cents; Herald and Mirror, twenty-one dollars and forty-five cents; Evening Journal, ninety cents; Daily Bee, fifteen dollars and seventy-five cents; Alta, twenty-one dollars and nineteen cents; California Express, six dollars and nineteen cents; Monitor, three dollars and thirty-eight cents; Mountain Democrat, one dollar and sixty-nine cents; Colusa Sun, one dollar and sixty-nine cents; Stockton Independent, nine dollars and ninety-four cents; News Letter, one dollar and twelve cents; North Pacific Review, seventy-five cents; California Democrat, three dollars; Visalia Delta, three dollars; Plumas Standard, twelve dollars; Butte Record, three dollars; Red Bluff Beacon, six dollars; Shasta Courier, fifteen dollars; Merced Banner, three dollars; Nevada Democrat, two dollars and fifty cents; Nevada Journal, nine dollars; Pacific Echo, three dollars; San Mateo Gazette, six dollars; Union Advocate, three dollars; Sonoma Journal, three dollars; Bulletin, forty-five dollars and nineteen cents; Marysville Appeal, thirty dollars and thirty-eight cents; and Golden Era, ten dollars and twelve cents.]

The Committee recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is hereby required to draw his warrants in favor of the above parties for the several amounts, payable out of the Contingent Fund of the Senate.

POWERS, Chairman.

Resolution adopted.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report:

Mr. PRESIDENT:—The Judiciary Committee, to whom was referred Senate bill No. 310, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress, having had the same under consideration, report it back, amended in accordance with instructions, and recommend its passage as amended;

Also, Assembly bill No. 321, an Act to amend an Act entitled an Act to prohibit gaming, approved March seventh, eighteen hundred and sixty, report it back, and recommend its passage.

VAN DYKE, Chairman.

Mr. Kutz, from the Committee on Engrossment, made the following report:

Mr. PRESIDENT:—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 292, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

KUTZ, for Committee.

Mr. Whiting, Chairman of the Committee on Corporations, made the following report :

Mr. PRESIDENT:—The Committee on Corporations, to whom was referred Senate bill No. 180, an Act to amend an Act to provide for the incorporation of wagon road companies, etc., have had the same under consideration, and report the same back, recommending its indefinite postponement ;

Also, have had under consideration Assembly bill No. 243, an Act amendatory of an Act supplemental to an Act concerning public ferries and toll bridges, etc., and report the same back, without recommendation ;

Also, have had under consideration Senate bill No. 181, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, and report the same back, without recommendation.

WHITING, Chairman.

Senate bill No. 181, above reported, ordered to top of file for Friday, April seventeenth.

Assembly bill No. 243, above reported, ordered to top of file for Friday, April seventeenth.

Mr. Crane made the following report :

Mr. PRESIDENT:—The undersigned, to whom was referred Assembly bill No. 293, an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, having had the same under consideration, herewith reports it back, without amendment, and recommends its passage.

CRANE.

Assembly bill No. 293, above reported, was taken up, read third time, and passed.

Mr. Nixon made a verbal report, recommending the passage of Assembly bill No. 473, an Act to amend an Act entitled an Act concerning the construction and repair of levees in the County of Sacramento, and the mode of raising revenue therefor, approved April ninth, eighteen hundred and sixty-two.

Assembly bill No. 473, above reported, was taken up, read third time, and passed.

Mr. Hathaway made the following report :

Mr. PRESIDENT:—The delegation, to whom was referred Assembly bill No. 270, have had the same under consideration, and report it back, recommending its passage.

HATHAWAY, for Delegation.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 11th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 39, an Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Holland, and John Benson, and their associates and assigns, to lay down gas pipes in the City and County of San Francisco, approved May second, eighteen hundred and sixty-two ;

Also, Senate bill No. 331, an Act supplementary and amendatory of an Act to provide for the construction of a wagon road by the Board of Supervisors of Tehama County, approved January twenty-seventh, eighteen hundred and sixty-three ;

Also, Senate bill No. 255, an Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-three ;

Also, Senate bill No. 119, an Act concerning records of District Courts ;

Also, Senate bill No. 309, an Act to regulate the fees of officers in Calaveras County ;

Also, Senate bill No. 222, an Act to authorize P. S. Palmstream to establish, keep up, and maintain a public ferry across Big River, in Mendocino County, near the Big River Mills ;

Also, Senate bill No. 210, an Act regulating the fees of office of Justices of the Peace and Constables in the County of San Joaquin ;

Also, Senate bill No. 213, an Act to authorize the Guardians of certain minor children to convey their real estate.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
April 14th, 1863. }

MR. PRESIDENT :—The Assembly have amended and passed Senate bill No. —, substitute for Assembly bill No. 42, an Act concerning the School Fund of the State of California ;

Also, passed Assembly bill No. 230, an Act supplementary to an Act entitled an Act to authorize Joseph M. Wood, his associates, and their assigns, to build a wharf in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two ;

Also, passed Assembly bill No. 258, an Act to amend an Act entitled an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five ;

Also, passed Assembly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison ;

Also, passed Assembly bill No. 407, an Act concerning the City of Los Angeles, giving to the Mayor and Common Council authority to estab-

lish a public City Pound, and to prohibit the grazing of certain domestic animals within certain prescribed limits of said city;

Also, passed Assembly bill No. 482, an Act to provide for the collection of delinquent taxes in the City of Stockton;

Also, amended and passed Senate bill No. 32, an Act dividing the State into Judicial Districts;

- Also, passed Senate bill No. 34, an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by Act passed March twenty-fifth, eighteen hundred and sixty-two;

Also, amended and passed Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, passed Senate bill No. 80, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, amended and passed Senate bill No. 95, an Act to grant the right to construct a turnpike road between the Town of Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono;

Also, passed Senate bill No. 114, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, passed Senate bill No. 267, an Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turnpike road in the Counties of Sonoma and Mendocino;

Also, passed Senate bill No. 330, an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for the purposes therein named.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER.

April 14th, 1863. }

Mr. PRESIDENT:—The Assembly, on yesterday, passed Assembly bill No. 424, an Act to appropriate funds for the defence of the State;

Also, on yesterday, passed Assembly bill No. 137, an Act to authorize Caleb S. Hobbs and others to build a wharf on the New Potrero, in the City and County of San Francisco.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 424, above reported, read first and second times, and referred to the Committee on Military Affairs.

Assembly bill No. 137, above reported, read first and second times, and ordered to top of file for Wednesday, April fifteenth.

Assembly bill No. 271, above reported, read first and second times, and made the special order for Wednesday, April fifteenth, at two o'clock, P. M.

Assembly bill No. 407, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 482, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 258, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 230, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly amendments to Senate substitute for Assembly bill No. 42, above reported, were concurred in.

Assembly amendments to Senate bill No. 95, above reported, were concurred in.

Senate bill No. 42, above reported, was referred to the Judiciary Committee.

Senate refused to concur in Assembly amendments to Senate bill No. 32, above reported, as far as relates to sections two, three, and five, and concurred in Assembly amendments to sections eleven and twelve.

GENERAL FILE.

Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Assembly bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary line of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine, (special order)—postponed until bill under discussion was disposed of.

Senate bill No. 64, an Act regulating actions affecting title or possession of real estate (also special order)—ordered to top of file for to-morrow.

Consideration of Assembly bill No. 207, was resumed.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Porter of Contra Costa, Shannon, and Whiting, and taken, with the following result:

AYES—Messrs. Chamberlain, Harriman, Higby, Kutz, McNabb, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—11.

NOES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Cavis, Clark, Crane, Cunningham, Doll, Gaskill, Hathaway, Holden, Lewis, McCullough, Oulton, Parks, Saxton, Van Dyke, Vineyard, and Whiting—22.

So the motion to indefinitely postpone was lost.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Higby, Chamberlain, and Wallis, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Cavis, Clark, Crane, Cunningham, Doll, Gaskill, Hathaway, Higby, Holden, McCullough, Oulton, Parks, Saxton, Van Dyke, Vineyard, and Whiting—22.

NOES—Messrs. Chamberlain, Harriman, Kutz, Lewis, McNabb, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—11.

Mr. Higby gave notice of a motion to reconsider.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

Mr. Kutz, by leave, introduced a bill for an Act to confer further powers and duties upon certain officers.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Perkins, for an Act amendatory of an Act entitled an Act amendatory of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, A. D. eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and all Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Four, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times, and referred to the San Francisco delegation.

GENERAL FILE RESUMED.

Senate bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary lines of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine (special order)—was taken up.

On the adoption of the following amendment, to wit: "*Provided*, that if the Commissioners shall decide that the County of Butte is not indebted to the County of Tehama, then the County of Tehama shall pay the costs of the the commission," the ayes and noes were demanded, by Messrs. Perkins, Cunningham, and Powers, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Cavis, Chamberlain, Clark, Cranc, Gaskill, Harriman, Kutz, McCullough, Nixon, Shannon, and Wallis—13.

NOES—Messrs. Baker, Bogart, Cunningham, Doll, Holden, Lewis, McNabb, Oulton, Parks, Perkins, Porter of Contra Costa, Powers, and Whiting—13.

So the amendment was lost, and the bill read third time, and passed.

Mr. Gaskill gave notice of a motion to reconsider the passage.

Senate bill No. 268, an Act to legalize certain contracts, and provide for the enforcement thereof—*indefinitely postponed*.

Mr. Gaskill gave notice of a motion to reconsider the postponement.

Senate bill No. 319, an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of this State, and to indemnify citizens of this State for losses sustained by Indian depredations—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco—ordered to top of file for Wednesday, April fifteenth, eighteen hundred and sixty-three.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 14th, 1863. }

MR. PRESIDENT :—The Assembly have concurred in Senate amendments to Assembly bill No. 261, an Act to extend the provisions of an Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two ;

Also, concurred in Senate amendments to Assembly bill No. 342, an Act to pay the claim of D. Z. Moore ;

Also, concurred in Senate amendments to Assembly bill No. 449, an Act to provide for the construction of a railroad from Wilmington to Los Angeles ;

Also, passed Assembly bill No. 362, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 14th, 1863. }

MR. PRESIDENT :—The Assembly, this day, passed, with amendments, Senate bill No. 236, an Act to authorize the Board of State Prison Directors to allow interest on certain claims ;

Also, this day, passed, with amendments, Senate bill No. 243, an Act to authorize William Kobl and his associates to establish and maintain a steam ferry.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER,
April 14th, 1863. }

MR. PRESIDENT :—The Assembly have refused to concur in Senate amendments to Assembly bill No. 86, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, and have appointed a Committee of Free Conference on the same. The committee on the part of the House consists of Messrs. Wheaton, Sears, and Swift. The House asks the appointment of a like Committee on the part of the Senate.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Messrs. Clark, Perkins, and Parks, were appointed, on the part of the Senate, a Committee of Free Conference on the disagreement between the two Houses on Assembly bill No. 86, above reported.

The Senate concurred in Assembly amendments to Senate bill No. 236, above reported.

The Senate concurred in Assembly amendments to Senate bill No. 243, above reported.

Assembly bill No. 362, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two—amended, and

pending consideration, the bill was ordered to top of file for Wednesday, April fifteenth.

At five o'clock and ten minutes, P. M., on motion of Mr. Parks, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Wednesday, April 15th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Journal of yesterday read and approved.

Mr. Gaskill, by leave, introduced a bill for an Act granting the right of way, and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory.

Read first and second times, and referred to the Committee on Corporations.

REPORTS.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof, having had the same under consideration, report it back, and recommend that the Senate concur in the Assembly amendments.

VAN DYKE, Chairman.

Senate bill No. 42, above reported, was taken up, and Assembly amendments concurred in.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration the claim of Peter E. Farrell, for rent of rooms, as Armories for the State, in San Francisco, in eighteen hundred and fifty-six, and report the same back, and recommend that it be rejected ;

Also, have had under consideration the claim of Robert Robinson, for services and expenses for State on boundary line, and that of Homer King, for newspapers furnished the session of eighteen hundred and sixty-one, and report the same back, with the accompanying bill, and recommend the passage of the bill.

OULTON, Chairman.

The Committee on Claims introduced a bill for an Act to appropriate money to pay certain claims.

Read first and second times, and placed on file.

Mr. Abell, from the Committee on Military Affairs, made the following report :

MR. PRESIDENT :—The Committee on Military Affairs have had under consideration Assembly bill No. 424, an Act to appropriate funds for the defence of the State, and have directed me to report it back, without amendment, and with the recommendation that it be passed ;

The committee have also had under consideration Assembly bill No. 173, an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, and have directed me to report it back, with amendments, and with the recommendation that it be passed as amended.

ABELL, for Committee.

Mr. Holden made the following report :

MR. PRESIDENT :—The delegation from Napa and Lake Counties have had under consideration Assembly bill No. 490, in relation to roads in Napa and Lake Counties, and recommend the passage of the bill.

HOLDEN, for Delegation.

Assembly bill No. 490, above reported, taken up, read third time, and passed.

Mr. Nixon made the following report :

MR. PRESIDENT :—The Sacramento and Yolo delegations, to whom was referred Senate bill No. 324, an Act to provide for the levying of a tax, and for the construction of a wagon road from the Town of Washington, in Yolo County, to a point at or near the Tule House, in said county, having had the same under consideration, have adopted a substitute, and recommend the passage of the substitute.

NIXON,
BOOTH,

For Sacramento Delegation.

POWERS,
For Yolo Delegation.

Senate bill No. 234, above reported, taken up, substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 335, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to charge and collect toll for travel thereon.

KUTZ, for Committee.

Mr. Abell made the following report :

MR. PRESIDENT :—The San Francisco delegation, to whom was referred Senate bill No. 282, an Act to establish and define the powers and

duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts concerning the same, and to confer further powers upon the Auditor and Treasurer of the City and County of San Francisco, have had the same under consideration, and have instructed me to report the same back, with a substitute, the passage of which they recommend.

ABELL, for Delegation.

Senate bill No. 282, above reported, was taken up, substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Mr. Crane made the following report :

Mr. PRESIDENT :—The undersigned, to whom was referred Assembly bill No. 40, an Act to regulate fees of officers in the County of Alameda, having had the same under consideration, herewith reports the same back, with amendments, and recommends its passage, as amended.

CRANE.

Assembly bill No. 411, above reported, was taken up, amended, read third time, and passed.

Mr. Booth made the following report :

Mr. PRESIDENT :—The Sacramento delegation, to whom was referred Assembly bill No. 401, an Act to amend an Act for the better protection of farmers in certain portions of Sacramento County, report the same back, and recommend its passage.

NIXON.
BOOTH.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER.

April 15th, 1863. }

Mr. PRESIDENT :—The Assembly passed Assembly bill No. 355, an Act concerning roads and highways in the County of Plumas ;

Also, passed Senate bill No. 139, an Act to provide for the pauper sick of Tehama County ;

Also, indefinitely postponed Senate bill No. 193, an Act concerning the offices of Sheriff, County Clerk, County Treasurer, District Attorney, County Assessor, and Superintendent of Public Instruction, of Mendocino County ;

Also, passed Senate bill No. 204, an Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to reconstruct and make a wagon road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two ;

Also, passed Senate bill No. 225, an Act for the relief of S. M. Mouser ;

Also, passed Senate bill No. 227, an Act to provide for the better maintenance of the indigent sick of Sonoma County ;

Also, passed Senate bill No. 230, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in certain counties to the townships of Sonoma and Vallejo, in the County of Sonoma ;

Also, amended and passed Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and

maintain a wharf and ferry landing in the City and County of San Francisco;

Also, amended and passed Senate bill No. 242, an Act appropriating money to pay certain claims;

Also, passed Senate bill No. 351, an Act relative to the election of District Tax Collectors and Assessors in Placer County.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER.

April 15th, 1863.

Mr. PRESIDENT:—The Assembly have refused to pass Senate bill No. 130, an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto;

Also, passed Assembly bill No. 494, an Act to authorize the Board of Supervisors of San Joaquin County to appropriate money;

Also, refused to concur in certain Senate amendments to Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, eighteen hundred and sixty-three, and ending on the thirtieth day of June, eighteen hundred and sixty-four.

Without waiting for the Senate to recede from such amendments, the Assembly have ordered a Committee of Free Conference, and designated Messrs. Rule, Wheaton, and Robinson, as such Committee on the part of the House. The Senate is requested to appoint a similar committee.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

The Senate refused to recede from its amendments to Assembly bill No. 354, above reported, and appointed Messrs. Doll, Gaskill, and Harvey, a Committee of Free Conference, on the part of the Senate, on the disagreement.

Assembly bill No. 494, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 355, above reported, read first and second times, rules suspended, read third time, and passed.

On the motion to refer Senate bill No. 238, above reported, with Assembly amendments, to the San Francisco delegation, the ayes and noes were demanded, by Messrs. Crane, Powers, and Hathaway, and taken, with the following result:

AYES—Messrs. Abell, Clark, Cunningham, Gaskill, Hathaway, Higgins, Lewis, McNabb, Oulton, Saxton, Vineyard, Wallis, and Whiting—13.

NOES—Messrs. Anderson, Birdseye, Bogart, Booth, Cavis, Chamberlain, Crane, Doll, Harriman, Higby, Holden, Kutz, McCallough, Nixon, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Shurtleff—21.

The motion to refer was lost.

The question being on concurring in Assembly amendments, the ayes and noes were demanded, by Messrs. Perkins, Crane, and Powers, and taken, with the following result:

AYES—Messrs. Anderson, Birdseye, Bogart, Booth, Crane, Harriman, Higby, Holden, Kutz, McCullough, Nixon, Parks, Perkins, Porter of Santa Cruz, Powers, Saxton, Shannon, and Shurtleff—18.

NOES—Messrs. Abell, Cavis, Chamberlain, Clark, Cunningham, Doll, Gaskill, Hathaway, Higgins, Lewis, McNabb, Oulton, Porter of Contra Costa, Vineyard, Wallis, and Whiting—16.

Mr. Porter of Santa Cruz gave notice of a motion to reconsider the vote by which the amendments were concurred in.

So the amendments were concurred in.

Mr. Higby, pursuant to notice, now moved to reconsider the vote by which the Senate, on yesterday, passed Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

The motion to reconsider was made the special order for Thursday, April sixteenth, at eleven o'clock and thirty minutes, A. M.

Mr. Doll, by leave, introduced a bill for an Act to confer further powers upon the Buena Vista Vinticultural Association.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Senate bill No. 74, an Act to authorize the construction of floating dry docks in the harbor of San Francisco—amended.

On ordering the bill engrossed, the ayes and noes were demanded, by Messrs. Perkins, Clark, and Chamberlain, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Crane, Holden, Kutz, Lewis, McNabb, Nixon, Perkins, Porter of Santa Cruz, Powers, Shannon, Shurtleff, and Wallis—15.

NOES—Messrs. Abell, Booth, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, McCullough, Oulton, Parks, Porter of Contra Costa, Saxton, Van Dyke, and Whiting—17.

So the Senate refused to engross the bill.

Mr. Chamberlain gave notice of a motion to reconsider.

Assembly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison. (special order for two o'clock)—ordered to top of the file for Thursday, April sixteenth.

Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two—amended.

On the amendment to strike out the words "four thousand dollars," and insert "three thousand dollars," as the salary of the Adjutant-General, the ayes and noes were demanded, by Messrs. Chamberlain, Perkins, and Shannon, and taken, with the following result:

AYES—Messrs. Birdseye, Chamberlain, Clark, Crane, Gaskill, Harriman, Harvey, Kutz, Lewis, McCullough, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Vineyard, and Wallis—17.

NOES—Messrs. Abell, Anderson, Booth, Cavis, Cunningham, Doll,

Hathaway, Higby, Oulton, Parks, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—16.

So the amendment was adopted, and the bill read third time, and passed.

Mr. Gaskill, pursuant to notice, moved to reconsider the vote by which the Senate, on yesterday, passed Assembly bill No. 400, an Act supplementary to an Act entitled an Act to alter and define the boundary lines of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine.

Motion to reconsider was indefinitely postponed.

Mr. Perkins, by leave, introduced a bill for an Act extending the time for J. R. Vineyard and his assigns to construct a toll bridge across the Yuba River, at or near Parks' Bar, in Yuba County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 212, on motion of Mr. Porter of Santa Cruz, was taken from the file, and ordered to top of file for to-morrow.

Mr. Hathaway, by leave, introduced a bill for an Act amendatory of an Act entitled an Act to repeal an Act to regulate the Fire Department of the City of San Francisco, approved April thirtieth, A. D. eighteen hundred and fifty-five, and to fix the salaries of certain officers of the Fire Department of the City and County of San Francisco, approved April twenty-first, A. D. eighteen hundred and fifty-eight.

Read first and second times, and referred to the San Francisco delegation.

On the motion of Mr. Parks, to take up and consider Senate bill No. 257, an Act amendatory of and supplemental to an Act entitled an Act for the education of the indigent Deaf, Dumb, and Blind, in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one, the ayes and noes were demanded, by Messrs. Parks, Porter of Santa Cruz, and Oulton, and taken, with the following result :

AYES—Messrs. Anderson, Birdseye, Booth, Cavis, Clark, Cunningham, Doll, Harriman, Harvey, Hathaway, Higby, Kutz, Lewis, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Saxton, Van Dyke, Wallis, and Whiting—22.

NOES—Messrs. Baker, Chamberlain, Crane, Gaskill, McCullough, McNabb, Porter of Santa Cruz, and Shurtleff—8.

So the bill was taken up, substitute adopted, and ordered to top of file for to-morrow.

At five o'clock and ten minutes, P. M., on motion of Mr. Lewis, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, April 16th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Umy.

Journal of yesterday read and approved.

Mr. Baker, by leave, introduced a bill for an Act making county warrants drawn on the General Fund of Tulare County receivable in payment for county taxes.

Read first and second times, rules suspended, read third time, and passed.

Mr. Wallis, pursuant to notice, moved to reconsider the vote by which the Senate, on yesterday, concurred in Assembly amendments to Senate bill No. 238.

The motion to re-consider was made the special order for twelve o'clock, M., to-morrow.

Mr. Chamberlain, pursuant to notice, moved to reconsider the vote by which the Senate, on yesterday, refused to engross Senate bill No. 74.

Mr. Parks raised a point of order, that the bill had once been reconsidered.

The Chair decided the point of order not well taken.

Mr. Parks appealed.

On the question: "Shall the decision of the Chair stand as the opinion of the Senate?" the ayes and noes were demanded by Messrs. Parks, Oulton, and Perkins, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Cavis, Crane, Cunningham, Doll, Harriman, Harvey, Hathaway, Higby, Higgins, Holden, Kutz, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—26.

NOES—Messrs. Abell, Birdseye, Booth, Chamberlain, Clark, Gaskill, McCullough, Oulton, Parks, and Shannon—10

So the Chair was sustained.

The motion to reconsider was made the special order for to-morrow at half past twelve o'clock, P. M.

On motion of Mr. Harvey, Assembly bill No. 287, was ordered to top of file for to-morrow.

On a motion to adjourn, the ayes and noes were demanded, by Messrs. Powers, Chamberlain, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Anderson, Bogart, Chamberlain, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McNabb, Perkins, Porter of Santa Cruz, Powers, Shannon, Vineyard, and Wallis—17.

NOES—Messrs. Abell, Baker, Birdseye, Booth, Cavis, Clark, Crane, Doll, Harvey, Holden, Lewis, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Saxton, Shurtleff, Van Dyke, and Whiting—20.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report:

Mr. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 24, authorizing the Controller of State to collate the laws relating to the levying of taxes and collection of revenue;

Also, Senate bill No. 22, an Act concerning offices;

Also, Senate bill No. 79, an Act to amend an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people;

Also, Senate bill No. 118, an Act to grant to John McNealey and his associates the right to construct and maintain a toll bridge across the Mokelumne River, in the Counties of Calaveras and Amador;

Also, Senate bill No. 274, an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras;

Also, Senate bill No. 275, an Act to amend an Act entitled an Act concerning Judges of the Plains, and defining their duties;

Also, Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct a wharf at the western end of the Encinal of San Antonio, in Alameda County;

Also, Senate bill No. 334, an Act fixing the time for holding the terms of the District Court in Lake County;

Also, Senate bill No. 339, an Act to authorize the Board of Supervisors of Stanislaus County to subscribe twenty-five thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto;

And this day, April fifteenth, eighteen hundred and sixty-three, at two o'clock and fifty-five minutes, P. M., delivered the same to the Governor for his approval.

Also, examined, and found correctly enrolled, Senate bill No. 6, an Act to amend an Act entitled an Act to provide for the appointment of a Measurer of Wood in and for the City of San Francisco;

And on the day last aforesaid, at three o'clock and twenty minutes, P. M., delivered the same to the Governor for his approval.

HIGGINS, Chairman.

On the motion of Mr. Perkins to adjourn, the ayes and noes were demanded, by Messrs. Powers, Chamberlain, and Porter of Santa Cruz, and taken, with the following result:

AYES—Messrs. Anderson, Bogart, Chamberlain, Clark, Crane, Gaskill, Harriman, Hathaway, Higby, Holden, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—18.

NOES—Messrs. Abell, Baker, Birdseye, Booth, Cavis, Cunningham, Doll, Harvey, Kutz, Lewis, McCullough, Oulton, Parks, Saxton, Shurtleff, Van Dyke, Vineyard, and Whiting—18.

The President voting in the affirmative, at twelve o'clock and ten minutes, P. M., declared the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Friday, April 17th, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Hertel.

Journal of yesterday read and approved.

REPORTS.

Mr. Clark made the following report:

MR. PRESIDENT:—The Committee of Free Conference on the disagreeing vote of the two Houses on Assembly Bill No. 86, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May fifteenth, eighteen hundred and fifty-four, recommend that the Assembly concur in the Senate amendments; also, recommend the adoption of the following amendment:

Amend section two by striking out, in lines eight and nine from the end of said section, the words "be retained by him for his services, and the money, less Attorney's fees, when recovered, shall."

WHEATON.

SEARS.

SWIFT.

Assembly Committee.

CLARK.

PERKINS.

PARKS.

Senate Committee.

Mr. Perkins made a verbal report, recommending the passage of Assembly bill No. 239, an Act supplementary to an Act entitled an Act to authorize Joseph M. Wood, his associates, and their assigns, to build a wharf in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two.

Mr. Hathaway, Chairman of the Hospital Committee, made the following report:

MR. PRESIDENT:—The Hospital Committee, to whom was referred Assembly bill No. 295, have had the same under consideration, and ask leave to report the same back, with a recommendation that the bill pass.

Two of the committee dissent from this recommendation.

HATHAWAY, Chairman.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred Assembly bill No. 326, an Act to amend an Act supplementary to an

Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, ask leave to report the same back, with a recommendation that it pass.

PORTER of Contra Costa, Chairman.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

MR. PRESIDENT:—The Committee on Finance, to whom was referred Assembly bill No. 445, an Act making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three, have had the same under consideration, report the same back, with amendments, and recommend its passage as amended.

PERKINS, Chairman.

Assembly bill No. 445, above reported, was taken up, amended, read third time, and passed.

Mr. Nixon made a verbal report, recommending the passage of Assembly bill No. 277, an Act to provide for a railroad within the City and County of Sacramento.

Assembly bill No. 277, above reported, was taken up, amended, read third time, and passed.

Mr. Harvey made the following report :

MR. PRESIDENT:—Your Committee of Free Conference, appointed upon the disagreeing vote of the two Houses on Senate bill No. 157, an Act to amend an Act entitled an Act for the reclamation and segregation of the Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to this State by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one, have had the same under consideration, and recommend that the Senate concur in Assembly amendment.

Also, to amend section one by inserting after the name of "B. B. Redding," the names of "Phillip E. Dresher, of Sutter County," and "M. M. Richardson, of Solano County."

Also, to amend section one, in line eight, by striking out the word "three" after the word "of," and inserting the word "one."

Also, to amend by adding the following section :

"Section 8. Swamp Land District No. 2 is hereby exempted from the provisions of this Act, and also from the provisions of the Act to which this Act is amendatory and supplementary."

Also, to amend title by striking out the word "amend," in the first line, and inserting the words "amendatory and supplementary to."

HARVEY,

Chairman of Senate Committee.

DUDLEY of Solano,

Chairman of House Committee.

Report adopted.

Mr. Cunningham made the following report :

MR. PRESIDENT:—The Yuba delegation, to whom was referred Assembly bill No. 108, an Act to provide for the better collection of delinquent

taxes in the County of Yuba, have had the same under consideration, and recommend its passage.

CUNNINGHAM.
PARKS.

Assembly bill No. 108, above reported, was taken up, read third time, and passed.

Mr. Baker made the following report: .

MR. PRESIDENT:—The Special Committee, to whom was referred Assembly bill No. 343, an Act concerning roads and highways in the County of Fresno, have had the same under consideration, and report the same back to the Senate, and recommend its passage.

BAKER, for Committee.

Assembly bill No. 343, above reported, was taken up, read third time, and passed.

Mr. Oulton made the following report:

MR. PRESIDENT:—The Siskiyou delegation, to whom was referred Assembly bill No. 323, an Act to regulate the fees of certain county officers in the County of Siskiyou, have had the same under consideration, in connection with the Siskiyou delegation in the Assembly, and report the same back, and recommend its indefinite postponement.

OULTON, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
Sacramento, April 14th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 299, an Act concerning official publications for the County of Yolo;

Also, Senate bill No. 269, an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax;

Also, Senate bill No. 273, an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas;

Also, Senate bill No. 175, an Act to grant the right to construct a turnpike road from the Town of Sutter Creek to Volcano, in the County of Amador;

Also, Senate bill No. 326, an Act to change the name of William Henry English;

Also, Senate bill No. 164, an Act to incorporate the Town of San Luis Obispo;

Also, Senate bill No. 129, an Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital;

Also, Senate bill No. 55, an Act making an appropriation for the payment of the expenses growing out of the indictment and trial of Horace Smith;

Also, Senate bill No. 91, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State,

passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, Senate bill No. 348, an Act to appropriate money for the purpose of aiding in the construction of the monument to the late Hon. David C. Broderick.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
April 15th, 1863. }

MR. PRESIDENT :—The Assembly, on yesterday, passed Assembly bill No. 334, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board;

Also, on the thirteenth instant, passed Assembly bill No. 315, an Act to amend an Act entitled an Act for the erection of a building for a State Reform School, and for the regulation of the same, approved April eighteenth, eighteen hundred and sixty.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER, }
April 15th, 1863. }

MR. PRESIDENT :—The Assembly passed Assembly bill No. 175, an Act supplementary to an Act entitled an Act for the payment of expenses incurred in the suppression of Indian hostilities in the County of Humboldt, in this State, passed March thirteenth, eighteen hundred and sixty-two;

Also, passed Assembly bill No. 375, an Act to grant the right to construct a bridge across the Albion River, near its mouth;

Also, passed Assembly bill No. 446, an Act to consolidate certain school districts of the Counties of El Dorado, and of Sacramento;

Also, passed Assembly bill No. 461, an Act for the relief of D. P. Shattuck;

Also, concurred in Senate amendments to Assembly bill No. 242, an Act in addition to an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplemental thereto;

Also, refused to concur in Senate amendments to Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, and have appointed Messrs. Banks, Sanderson, and Hartson, a Committee of Free Conference on the part of the House, and request the Senate to appoint a like committee;

Also, refused to concur in Senate amendments to Assembly bill No. 330, an Act to exclude traitors and alien enemies from the Courts of Justice in civil cases, and ask the Senate to recede from such amendments;

Also, concurred in Senate amendments to Assembly bill No. 348, an Act to confer further powers upon the Board of Supervisors of the

City and County of San Francisco, excepting that amendment to section first, which is indorsed eleventh subdivision. From that amendment the Senate is requested to recede;

Also, passed Assembly bill No. 405, an Act concerning the official bond of Public Administrator in the County of San Bernardino;

Also, passed Assembly bill No. 394, an Act to grant the right to construct a wagon road in Tulare County;

Also, passed Assembly bill No. 395, an Act to authorize the County Auditor of Tulare County to issue bonds to aid in the construction of a wagon road.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 15th, 1863. }

Mr. PRESIDENT:—The Assembly passed Senate bill No. 338, an Act to authorize the issue of certain land warrants to Charles B. Grant;

Also, receded from its amendments to Senate bill No. 32, an Act dividing the State into Judicial Districts;

Also, passed Senate bill No. 161, an Act to amend an Act entitled an Act fixing the salaries of State officers and Clerks, passed May sixth, eighteen hundred and sixty-one;

Also, passed Senate bill No. 184, an Act to authorize John F. Hill, etc., to construct and maintain a macadamized road in the City and County of San Francisco, and to levy tolls thereon;

Also, amended and passed Senate bill No. 199, an Act to provide for salaries of the Judiciary;

Also, passed Senate bill No. 253, an Act to authorize Edward Gallagher, etc., to lay down water pipes in the Town of Aurora, Mono County;

Also, amended and passed Senate bill No. 306, an Act providing for the government of the County of Sacramento;

Also, adopted Assembly concurrent resolution No. 42, relative to National affairs.

Senate bill No. 6, an Act to repeal an Act to provide for the appointment of a Measurer of Wood in and for the City and County of San Francisco, is herewith returned, by order of the House, with the same indorsements that were placed upon the engrossed copy of said bill, which has disappeared from the file of "Unfinished Business," where it was placed on the seventh of April, in accordance with the rules of the Assembly.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 15th, 1863. }

Mr. PRESIDENT:—The Assembly passed Assembly bill No. 380, an Act to appropriate money to pay the claim of Benjamin P. Avery.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 16th, 1863. }

Mr. PRESIDENT:—The Assembly, on the fourteenth of April, passed Assembly bill No. 76, an Act to audit and allow the claim of J. H. Sullivan and E. C. Cromwell;

Also, passed Assembly bill No. 143, an Act for the relief of James Osborn, County Treasurer of Klamath County;

Also, passed Assembly bill No. 255, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco;

Also, passed Assembly bill No. 438, an Act concerning corporations formed for canal and ditch purposes;

Also, passed Assembly bill No. 439, an Act for the relief of John Herzo;

Also, passed Assembly bill No. 453, an Act appropriating money to pay the claim of Augustus D. Splivalo, for translating State documents;

Also, passed Assembly bill No. 472, an Act supplemental to an Act entitled an Act for the encouragement of agriculture and manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 16th, 1863. }

MR. PRESIDENT:—The Assembly, this day, adopted the report of the Committee of Free Conference on Assembly bill No. 86, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May fifteenth, eighteen hundred and fifty-four;

Also, this day, adopted Assembly concurrent resolution No. 43, relative to the final adjournment of the Legislature;

Also, this day, passed Assembly bill No. 196, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco;

Also, this day, passed Assembly bill No. 352, an Act amendatory of an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine;

Also, this day, passed Assembly bill No. 458, an Act supplemental to an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved April thirteenth, eighteen hundred and sixty-three.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 16th, 1863. }

MR. PRESIDENT:—The Assembly concurred in Senate amendments to Assembly bill No. 411, an Act to regulate the fees of officers in the County of Alameda;

Also, concurred in a portion of Senate amendments to Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, and have refused to concur in other Senate amendments to said bill. A Committee of Free Conference has been appointed on the part of the House, consisting of Messrs. Collins, Wheaton, and Davis.

The Senate is requested to designate a similar Committee.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 16th, 1863. }

Mr. PRESIDENT :—The Assembly passed Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the town of Petaluma ;

Also, passed Assembly bill No. 312, an Act to amend an Act entitled an Act amendatory of Article Fourth of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four inclusive, and Acts and parts of Acts amendatory and supplementary thereto, and substituting this Act for said Article Four, approved April twenty-fifth, eighteen hundred and sixty-two ;

Also, passed Assembly bill No. 404, an Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, and of an Act amendatory of and supplementary to said Act, approved April nineteenth, eighteen hundred and fifty-nine, approved March eighteenth, eighteen hundred and sixty-two ;

Also, passed Assembly bill No. 477, an Act to authorize the Board of Supervisors of the City and County of San Francisco to take and subscribe one million dollars to the capital stock of the Western Pacific Railroad Company and the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto ;

Also, passed Assembly bill No. 300, an Act to authorize Juan La Coste to sell certain real estate ;

Also, passed Assembly bill No. 301, an Act to authorize Antonio Sufiol to sell certain real estate ;

Also, passed Senate bill No. 37, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell certain real estate ;

Also, passed Senate bill No. 271, an Act to authorize the Administrator of the estate of Fannie E. Gillespie, deceased, to sell and convey real estate.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 16th, 1863. }

Mr. PRESIDENT :—The Senate is respectfully informed that the Assembly, in honor of the Proclamation of the President of the United States, setting apart this day for public humiliation, fasting, and prayer, have adjourned, and that public religious services will be held at two o'clock, this afternoon, in the Assembly Chamber, under the direction of the Chaplains who have officiated during the session.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER,
April 17th, 1863. }

Mr. PRESIDENT :—The Assembly have passed Senate bill No. 241, an Act appropriating money to pay the claim of H. C. Stockton.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 17th, 1863. }

Mr. PRESIDENT :—The Assembly passed Senate bill No. 360, an Act to confer further powers upon the Buena Vista Vinticultural Association ;

Also, passed Senate bill No. 333, an Act to direct the Controller of State in drawing his warrants.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 17th, 1863. }

Mr. PRESIDENT :—The Assembly have concurred in Senate amendment to Assembly concurrent resolution No. 43, relative to final adjournment of the Legislature.

H. G. WORTHINGTON,
Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly concurrent resolution No. 43, relative to adjournment *sine die*, was read, amended, and on the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Shannon, Hathaway, and Gaskill, and taken, with the following result :

AYES—Messrs. Abell, Cavis, Chamberlain, Cunningham, Gaskill, Harvey, Hathaway, Kutz, McCullough, McNabb, Oulton, Parks, Perkins, Van Dyke, and Whiting—15.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Crane, Harriman, Higby, Higgins, Holden, Lewis, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Shurtleff, Vineyard, and Wallis—18.

So the motion to postpone was lost.

The motion being to lay on the table, the ayes and noes were demanded, by Messrs. Oulton, Chamberlain, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Chamberlain, Cunningham, Gaskill, Harvey, Hathaway, Kutz, McCullough, Oulton, Parks, Perkins, Shurtleff, Van Dyke, and Whiting—14.

NOES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Crane, Harriman, Higby, Higgins, Holden, Lewis, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Vineyard, and Wallis—19.

Pending the consideration of the resolution, Senate bill No. 74, (special order for half past twelve o'clock,) was made the special order for to-morrow at twelve o'clock.

On the motion to suspend the consideration of the General File, until after the consideration of Assembly messages, the ayes and noes were demanded, by Messrs. Oulton, Hathway, and Parks, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Crane, Harriman, Hathaway, Higby, Higgins, Holden, Kutz, Lewis, McCullough, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Shurtleff, Vineyard, Wallis, and Whiting—25.

NOES—Messrs. Abell, Chamberlain, Cunningham, Gaskill, Harvey, Oulton, Parks, and Van Dyke.—8.

The consideration of the resolution was resumed.

On the adoption, the ayes and noes were demanded, by Messrs. Shannon, Oulton, and Parks, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Bogart, Booth, Cavis, Crane, Harri-
man, Higby, Higgins, Holden, Lewis, Nixon, Porter of Contra Costa,
Porter of Santa Cruz, Powers, Shannon, Vineyard, Wallis, and Whit-
ing—19

NOES—Messrs. Abell, Chamberlain, Cunningham, Gaskill, Harvey,
Hathaway, Kutz, McCullough, McNabb, Oulton, Parks, Perkins, Saxton,
Shurtleff, and Van Dyke—15.

So the resolution was concurred in.

Assembly bill No. 458, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 352, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Assembly bill No. 196, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 312, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 477, above reported, read first and second times, and referred to the Committee of the Whole, for April eighteenth, at two o'clock, P. M.

Assembly bill No. 301, above reported, read first and second times, and ordered on file.

Assembly bill No. 345, above reported, read first and second times, rules suspended, amended, read third time, and passed.

On motion of Mr. Crane, the special order (Senate bill No. 238,) for to-day at twelve o'clock, was made the special order for to-morrow at half past eleven o'clock.

Assembly bill No. 395, above reported, read first and second times, and referred to the Tulare delegation.

Assembly bill No. 394, above reported, read first and second times, and referred to the Tulare delegation.

Assembly bill No. 400, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 300, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 354, above reported, read first and second times, rules suspended, amended, read third time, and passed.

Assembly bill No. 405, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 453, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 255, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 446, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 380, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 439, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 143, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 76, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 461, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 175, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 438, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly bill No. 375, above reported, read first and second times, and referred to the Mendocino delegation.

Assembly bill No. 472, above reported, read first and second times, and referred to the Committee on Agriculture.

The Senate refused to recede from their amendments to Senate bill No. 91, above reported, and appointed as a Committee of Free Conference on the part of the Senate on the disagreement, Messrs. Abell, Parks, and Wallis.

Assembly bill No. 348, above reported, was returned, with the request to recede from Senate amendments.

On the motion to recede, the ayes and noes were demanded, by Messrs. Doll, Whiting, and Porter of Santa Cruz, and taken, with the following result :

AYES—Messrs. Abell, Booth, Cavis, Cunningham, Gaskill, Hathaway, Higby, Holden, Lewis, Parks, Porter of Santa Cruz, Powers, Saxton, Shannon, and Wallis—15.

NOES—Messrs. Anderson, Chamberlain, Doll, Harriman, Higgins, Porter of Contra Costa, Shurtleff, Van Dyke, Vineyard, and Whiting—10.

So the amendments were receded from.

The Senate receded from its amendments to Assembly bill No. 330, above reported.

Assembly bill No. 319, above reported, was returned to the Assembly for indorsements.

The Senate concurred in Assembly amendments to Senate bill No. 306, above reported.

Senate bill No. 199, above reported, came in with Assembly amendments, and on the motion to concur in the amendment to section first, by striking out the word "six," and insert the word "seven," the ayes and noes were demanded, by Messrs. Shurtleff, Hathaway, and Doll, and taken, with the following result :

AYES—Messrs. Anderson, Crane, Doll, Hathaway, Higby, Lewis, McCullough, Shannon, and Wallis—9.

NOES—Messrs. Baker, Booth, Cavis, Chamberlain, Cunningham, Gaskill, Harriman, Higgins, Holden, McNabb, Oulton, Parks, Perkins, Porter of Contra Costa, Powers, Saxton, Shurtleff, Van Dyke, Vineyard, and Whiting—20.

So the Senate refused to concur in the amendment to section one, and concurred in other amendments.

The Senate concurred in Assembly amendments to Senate bill No. 242, above reported.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
April 17th, 1863. }

MR. PRESIDENT:—In accordance with instructions, I return to the Senate Assembly bill No. 319, properly indorsed. I am further directed to inform the Senate that the former indorsement was made by the Minute Clerk, on whose assurance that it was all right the bill was before returned without correction.

W. N. SLOCUM,
Assistant Clerk.

The Senate refused to recede from its amendments to Assembly bill No. 319, above reported, and Messrs. Abell, Porter of Santa Cruz, and Cavis, were appointed, on the part of the Senate, a Committee of Free Conference on the disagreement between the two Houses.

Assembly concurrent resolution No. 42, relative to National affairs—amended.

On the adoption of the first clause of the resolution, the ayes and noes were demanded, by Messrs. Gaskill, Higby, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Kutz, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—27.

NOES—Messrs. Baker and Bogart—2.

Messrs. Clark and Birdseye were granted indefinite leave of absence, and Mr. Harvey was granted leave for one day.

On the motion of Mr. Oulton, to grant leave of absence to Mr. Doll, the vote was taken, and leave refused.

Mr. Gaskill moved a call of the Senate.

Carried.

The following members were absent without leave: Messrs. Doll, Holden, and Lewis.

On motion of Mr. Shannon, further proceedings under the call were suspended.

On the adoption of the second resolution, the roll was called, with the following result :

AYES—Messrs. Abell, Anderson, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—29.

NOES—Messrs. Baker and Bogart—2.

On the adoption of the third resolution, the roll was called, with the following result :

AYES—Messrs. Abell, Anderson, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Van Dyke, Wallis, and Whiting—27.

NOES—Messrs. Baker and Bogart—2.

On the adoption of the fourth resolution, the roll was called, with the following result :

AYES—Messrs. Abell, Anderson, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Van Dyke, Wallis, and Whiting—27.

NOES—Messrs. Baker and Bogart—2.

Mr. Shurtleff was, on motion of Mr. Perkins, excused from voting on the third and fourth resolutions.

Mr. Higgins was granted permission to cast his vote in the affirmative on the first resolution.

So the resolutions were adopted.

REPORT.

Mr. Holden, from the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 80, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 114, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 263, an Act to legalize a survey of Grees's Addition to the Town of Santa Rosa, in Sonoma County ;

Also, Senate bill No. 304, an Act to provide for the construction of a State Capitol Building in the City of Sacramento ;

Also, Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to incorporate the city of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, Senate bill No. 322, an Act to make certain offices in the County of Calaveras salaried offices ;

Also, Senate bill No. 327, an Act to authorize the election of a Deputy Assessor for the City of Marysville ;

Also, Senate bill No. 330, an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for the purposes therein named ;

Also, Senate bill No. 338, an Act to authorize the issue of duplicates of certain land warrants to Charles B. Grant ;

Also, Senate bill No. 346, an Act to confer further powers upon the Board of Supervisors of Lake County ;

Also, Senate bill No. 32, an Act dividing the State into Judicial Districts;

Also, Senate bill No. 34, an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by Act passed March twenty-fifth, eighteen hundred and sixty-two.

Also, Senate bill No. 37, an Act to authorize the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate;

Also, Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, Senate bill No. 139, an Act to provide for the pauper sick of Tehama County;

Also, Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor;

Also, Senate bill No. 236, an Act to authorize the Board of State Prison Directors to allow interest on certain claims;

Also, Senate bill No. 243, an Act to authorize William Kohl and his associates to establish and maintain a steam ferry;

Also, Senate bill No. 262, an Act to incorporate the City of Sacramento;

Also, Senate bill No. 267, an Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turnpike road in the Counties of Sonoma and Mendocino;

Also, Senate bill No. 271, an Act to authorize the Administrator of the estate of Fanny E. Gillespie, deceased, to sell and convey real estate;

And, this day, April seventeenth, eighteen hundred and sixty-three, at eleven o'clock and thirty minutes, A. M., delivered the same to the Governor for his approval.

HIGGINS, Chairman.

Mr. Higby, by leave, offered the following resolution:

Resolved, That the Assistant Sergeant-at-Arms of the Senate be allowed an additional amount, so as to give him the same pay as is allowed by law to the Copying Clerks of the Senate, from the date of his appointment, payable out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Chamberlain, Powers, and Kutz, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Cavis, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Lewis, McCullough, McNabb, Nixon, Oulton, Parks, Perkins, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—25.

NOES—Messrs. Chamberlain, Crane, Kutz, Porter of Contra Costa, Powers, and Saxton—6.

So the resolution was adopted.

On the decision of the Chair, that the resolution was adopted by the

vote of twenty-five ayes to six noes, Mr. Powers appealed from the decision, maintaining that it required a unanimous vote to adopt the resolution.

The Chair refused to entertain the appeal.

At four o'clock and forty-five minutes, p. m., on motion of Mr. Gaskill, the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, April 18th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Urmy.

Journal of yesterday read, corrected, and approved.

Mr. Holden was allowed to cast his vote in the negative on Assembly concurrent resolution No. 42, relative to National affairs.

Mr. Crane, by unanimous consent, introduced a concurrent resolution, authorizing the Secretary of State to procure additional copies of Statutes of eighteen hundred and sixty-three.

Adopted.

Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco, (special order of the day,) was taken up.

The question being upon the motion to reconsider the vote by which the Senate concurred in Assembly amendments to the bill, the Senate refused to reconsider by the following vote, the ayes and noes being demanded by Messrs. Whiting, Harriman, and Hathaway :

AYES—Messrs. Abell, Baker, Chamberlain, Gaskill, Hathaway, Higgins, Lewis, McCullough, Vineyard, Wallis, and Whiting—11.

NOES—Messrs. Anderson, Birdseye, Bogart, Booth, Cavis, Crane, Cunningham, Harriman, Higby, Oulton, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shurtleff, and Van Dyke—18.

REPORTS.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report :

Mr. PRESIDENT :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 352, having had the same under consideration, beg leave to report the same back, and recommend its passage.

CAVIS, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Assembly bill No. 300, an Act to authorize Juan La Coste to sell certain real estate, having had the same under consideration, report it back, without recommendation ;

Also, Assembly bill No. 458, an Act supplemental to an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, approved April thirteenth, eighteen hundred and sixty-three, report it back, without recommendation ;

Also, Assembly bill No. 258, an Act to amend an Act entitled an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five, report it back, amended, and recommend its passage, as amended ;

Also, Senate bill No. 279, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto, report it back, and recommend it do not pass.

VAN DYKE, Chairman.

Senate bill No. 74, an Act to authorize the construction of a floating dry dock in the harbor of San Francisco, (the special order for twelve o'clock,) was, on motion of Mr. Perkins, made the special order for Tuesday, April twenty-first, at one o'clock, P. M.

GENERAL FILE.

Assembly bill No. 243, an Act amendatory of an Act supplemental to an Act authorizing public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto, approved April fourteenth, eighteen hundred and sixty-two—amended, read third time, and passed.

Senate bill No. 257, an Act amendatory of and supplemental to an Act entitled an Act for the education of the Deaf, Dumb, and Blind, in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one.

Pending the consideration of the bill, the hour for the special order, (Assembly bill No. 477,) arrived, and on motion of Mr. Booth, was made the special order for three o'clock.

The consideration of Senate bill No. 257 was resumed—amended in Committee of the Whole.

On concurring in the amendment in Senate, to strike out all that part relating to the State Prison, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and Hathaway, and taken, with the following result :

AYES—Messrs. Birdseye, Cavis, Gaskill, Hathaway, Holden, Kutz, Porter of Santa Cruz, Van Dyke, and Whiting—9.

NOES—Messrs. Anderson, Baker, Booth, Chamberlain, Harriman, Harvey, Higby, Higgins, Nixon, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Vineyard, and Wallis—16.

So the amendment was rejected, and other amendments concurred in. Mr. Gaskill offered the following amendment:

"Provided, That the amount of money realized from the sale of said bonds be used for improvements of the Prison at San Quentin, or for building a Branch Prison, as may be decided by the next Legislature."

On the adoption of which, the ayes and noes were demanded, by Messrs. Gaskill, Birdseye, and Hathaway, and taken, with the following result:

AYES—Messrs. Birdseye, Cavis, Gaskill, Hathaway, Holden, Kutz, Porter of Santa Cruz, Van Dyke, and Whiting—9.

NOES—Messrs. Anderson, Baker, Booth, Chamberlain, Harriman, Harvey, Higby, Higgins, Nixon, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Vineyard, and Wallis—16.

So the amendment was rejected.

Mr. Gaskill offered the following amendment to the eighth line of section twelve, by inserting after the word "against," the words "each appropriation separate of."

On the adoption of which, the ayes and noes were demanded, by Messrs. Gaskill, Porter of Santa Cruz, and Hathaway, and taken, with the following result:

AYES—Messrs. Birdseye, Cavis, Gaskill, Hathaway, Kutz, Porter of Santa Cruz, and Van Dyke—7.

NOES—Messrs. Anderson, Baker, Booth, Harriman, Harvey, Higby, Higgins, Holden, Nixon, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Vineyard, Wallis, and Whiting—17.

Amendment rejected.

On the motion to suspend the rules, consider the bill engrossed, and read the third time, the ayes and noes were demanded, by Messrs. Gaskill, Higby, and Hathaway, and taken, with the following result:

AYES—Messrs. Anderson, Baker, Booth, Chamberlain, Harriman, Harvey, Higby, Higgins, McCullough, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—20.

NOES—Messrs. Birdseye, Cavis, Crane, Gaskill, Hathaway, Holden, Kutz, and Porter of Santa Cruz—8.

So the bill was considered engrossed, read third time, and ordered to top of file for Monday, April twentieth.

SPECIAL ORDER.

Assembly bill No. 477, an Act to authorize the Board of Supervisors of the City and County of San Francisco to take and subscribe one million dollars to the capital stock of the Western Pacific Railroad Company and the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto, was taken up, and read third time.

On the passage, the ayes and noes were demanded, by Messrs. Hatha-

way, Powers, and Porter of Santa Cruz, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Booth, Crane, Gaskill, Harriman, Harvey, Higgins, Holden, Kutz, McCullough, Nixon, Oulton, Porter of Contra Costa, Porter of Santa Cruz, Powers, Van Dyke, Wallis, and Whiting—19.

NOES—Messrs. Birdseye, Cunningham, Hathaway, and Parks—4.

Messrs. Chamberlain, Clark, Higby, Perkins, Shannon, and Shurtleff, paired off.

So the bill passed.

Mr. Parks moved to take up from unfinished business Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twentieth, eighteen hundred and fifty-one.

On which, the ayes and noes were demanded, by Messrs. Shannon, Parks, and Birdseye, and taken, with the following result :

AYES—Messrs. Anderson, Baker, Birdseye, Booth, Crane, Cunningham, Gaskill, Harvey, Hathaway, McCullough, Oulton, Parks, Van Dyke, and Whiting—14.

NOES—Messrs. Cavis, Chamberlain, Harriman, Higby, Higgins, Kutz, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—12.

It requiring a two thirds vote, the motion was lost.

At four o'clock and fifteen minutes, P. M., on motion of Mr. Chamberlain, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER.

Monday, April 20th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of Saturday last read and approved.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, April 16th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 298, an Act concerning the office of County Clerk in the County of Yolo ;

Also, Senate bill No. 300, an Act concerning the office of District Assessor in the County of Yolo ;

Also, Senate bill No. 290, an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five ;

Also, Senate bill No. 265, an Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the real estate of said minor at private sale ;

Also, Senate bill No. 117, an Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes ;

Also, Senate bill No. 314, an Act amendatory of an Act amendatory of and supplementary to an Act to incorporate the town of Columbia, in the County of Tuolumne, approved April ninth, eighteen hundred and fifty-seven, approved March twenty-fifth, eighteen hundred and fifty-eight ;

Also, Senate bill No. 121, an Act concerning roads and highways in the County of Nevada ;

Also, Senate bill No. 142, an Act to regulate the fees of officers in the Counties of Shasta, Trinity, and Klamath ;

Also, Senate bill No. 339, an Act to authorize the Board of Supervisors of the County of Stanislaus to take and subscribe twenty-five thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto ;

Also, Senate bill No. 37, an Act to authorise the Executors of the last will and testament of John W. Wilde, deceased, to sell and convey certain real estate.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER, }
 April 17th, 1863. }

Mr. PRESIDENT :—The Assembly amended and passed Senate bill No. 239, an Act to provide for the sale of certain public lands belonging to this State ;

Also, concurred in Senate amendments to Assembly bill No. 138, an Act amendatory of and supplemental to an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two ;

Also, adopted Assembly concurrent resolution No. 45, concerning the printing of the amended Constitution with the Statutes of eighteen hundred and sixty-three ;

Also, passed Assembly bill No. 501, an Act to amend an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County ;

Also, passed Assembly bill No. 502, an Act to enable the Supervisors of San Joaquin County to assess taxes for certain purposes ;

Also, passed Assembly bill No. 509, an Act to authorize the Attorney-General to prosecute certain suits ;

Also, passed Assembly bill No. 497, an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe fifty thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, etc. ;

Also, passed Assembly bill No. 469, an Act to grant the right to construct a wooden or iron railroad from the Slate Range Mountains, in the County of San Bernardino, to Kern River, in the County of Tulare ;

Also, passed Assembly bill No. 360, an Act for the relief of Matthew Crooks ;

Also, passed Assembly bill No. 470, an Act to authorize the Board of Supervisors of the County of Yolo to issue certain bonds, and to provide for the payment of the principal and interest thereof ;

Also, passed Assembly bill No. 366, an Act to authorize the Board of Supervisors of the City and County of San Francisco to grant the right to lay down gas pipes in the streets of said city and county, subject to certain restrictions and requirements.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 18th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 508, an Act supplementary to and amendatory of an Act entitled an Act to grant to certain parties the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 18th, 1863. }

Mr. PRESIDENT:—The Assembly passed Senate bill No. 229, an Act to authorize the issuance of a duplicate School Land warrant to Henry W. Peck ;

Also, passed Senate bill No. 174, an Act appropriating money to pay the claim of R. M. Jessup ;

Also, passed Senate bill No. 171, an Act to appropriate money to pay certain claims for services and sundries furnished the State Reform School ;

Also, passed Senate bill No. 71, an Act for the relief of Matthew Bird ;

Also, passed Senate bill No. 305, an Act relative to the terms of the District Court in the Eleventh Judicial District of this State ;

Also, passed Senate bill No. 353, an Act to authorize the Board of Supervisors of El Dorado County to lease the branch wagon road in said county for a term of years ;

Also, passed Senate bill No. 254, an Act concerning roads and highways in the County of San Mateo ;

Also, amended and passed Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,

April 20th, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 492, an Act to transfer certain funds;

Also, adopted Assembly concurrent resolution No. 46, concerning the correction of a clerical error;

Also, adopted Assembly concurrent resolution No. 47, relative to the death of J. W. Osborn, of Napa;

Also, passed Senate bill No. 1, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one;

Also, amended and passed Senate bill No. 102, an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty;

Also, passed Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, passed Senate bill No. 141, an Act to amend section eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty;

Also, passed Assembly bill No. 512, an Act to fix the compensation of the Tax Collector of the County of El Dorado, and his Deputies, in certain cases.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 497, above reported, read first and second times, and ordered on file.

Assembly bill No. 470, above reported, read first and second times, and ordered on file.

Assembly bill No. 469, above reported, read first and second times, and referred to the Tulare delegation.

Assembly bill No. 501, above reported, read first and second times, and referred to the Tuolumne delegation.

Assembly bill No. 360, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 508, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 502, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 509, above reported, read first and second times, rules suspended, read third time, and passed.

Senate concurred in Assembly concurrent resolution No. 45, above reported.

Senate refused to concur in Assembly amendments to Senate bill No. 259, above reported.

Assembly bill No. 492, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 512, above reported, read first and second times, and referred to the El Dorado delegation.

Assembly concurrent resolution No. 47, above reported, relative to the death of J. W. Osborn, was laid on the table, by the following vote, the

ayes and noes being demanded by Messrs. Harriman, Kutz, and McNabb:

AYES—Messrs. Anderson, Birdseye, Booth, Chamberlain, Harriman, Higgins, Holden, Kutz, McNabb, Oulton, Parks, Powers, Shurtleff, and Van Dyke—14.

NOES—Messrs. Baker, Crane, Hathaway, Higby, Nixon, Porter of Santa Cruz, Shannon, Wallis, and Whiting—9.

Senate concurred in Assembly concurrent resolution No. 46, above reported.

Senate concurred in Assembly amendments to Senate bill No. 102, above reported.

On concurring in the Assembly amendments to Senate bill No. 239, above reported, the ayes and noes were demanded, by Messrs. Shannon, Holden, and Harvey, and taken, with the following result:

AYES—Messrs. Booth, Cavis, Crane, Harriman, Hathaway, Higby, Higgins, Kutz, Parks, Porter of Contra Costa, Powers, Shannon, and Wallis—13.

NOES—Messrs. Chamberlain, Cunningham, Gaskill, Harvey, Holden, Lewis, McCullough, McNabb, Nixon, Oulton, Shurtleff, Van Dyke, Vineyard, and Whiting—14.

So the amendments were not concurred in.

Mr. Harvey moved to take up Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Mr. Hathaway moved a call of the Senate.

Lost.

The question being on the suspension of the rules, and taking up the bill, the ayes and noes were demanded, by Messrs. Cunningham, Gaskill, and Wallis, and taken, with the following result:

AYES—Messrs. Anderson, Birdseye, Booth, Cunningham, Gaskill, Harvey, Hathaway, Holden, Lewis, McCullough, Nixon, Oulton, Parks, Shurtleff, Van Dyke, and Whiting—16.

NOES—Messrs. Baker, Cavis, Chamberlain, Harriman, Higby, Higgins, Kutz, McNabb, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Vineyard, and Wallis—14.

It requiring a two thirds vote, the motion to take up was lost.

GENERAL FILE.

Senate bill No. 257, an Act amendatory of and supplementary to an Act entitled an Act for the education of the indigent Deaf, Dumb, and Blind in the State of California, approved April twenty-eighth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one—recommitted to the Committee on Public Buildings, with special instructions.

Senate bill No. 181—returned to file.

Senate bill No. 287, an Act to provide for the reclamation of the

Swamp and Overflowed Lands donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty.

Pending the consideration of the bill, Mr. Powers moved a call of the Senate.

Carried.

The following members were absent without leave: Messrs. Bogart, Booth, Doll, Gaskill, Harriman, Lewis, Oulton, Porter of Santa Cruz, Van Dyke, and Vineyard.

On motion of Mr. Birdseye, further proceedings under the call were suspended.

The consideration of Senate bill No. 287 was resumed—bill amended, read third time, and passed, and title amended.

On motion of Mr. Harvey, Assembly bill No. 324, an Act to change the name of Charles G. Scott, was taken up, read third time, and passed.

Assembly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison—referred to the Committee on Public Buildings.

Senate bill No. 212, proposed Amendments to the Constitution of the State of California—returned to file.

Senate bill No. 206, an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, eighteen hundred and sixty-two, and to contract a funded debt for that purpose—indefinitely postponed.

Senate bill No. 64, an Act regulating actions affecting title or possession of real estate.

The question being to reconsider the passage of the bill, the motion to reconsider was lost.

Senate bill No. 310, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress.

On the motion to lay the bill on the table, the ayes and noes were demanded, by Messrs. Anderson, Wallis, and McNabb, and taken, with the following result:

AYES—Messrs. Booth, Chamberlain, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, McNabb, Oulton, Parks, Porter of Santa Cruz, Powers, Shannon, Wallis, and Whiting—17.

NOES—Messrs. Anderson, Crane, Holden, Kutz, McCullough, Porter of Contra Costa, Shurtleff, and Van Dyke—8.

So the bill was laid on the table.

Senate bill No. 294, an Act providing for the time of holding the several Courts of record in this State—amended, rules suspended, considered engrossed; read third time, and passed.

Assembly bill No. 191, an Act to repeal a part of section six of an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 444, an Act for the relief of J. C. Gilfillin—indefinitely postponed.

Senate bill No. 58, an Act to provide for the selection and sale of the lands donated to this State for the support and maintenance of an Agricultural and Mechanical College—indefinitely postponed.

Senate bill No. 111, an Act to levy and collect a tax upon fire insu-

rance companies for the Fire Department Charitable Fund—indefinitely postponed.

Assembly bill No. 137—returned to file.

Senate bill No. 345, an Act granting the right to construct and maintain a bridge across Pitt River, at a point therein named, in the County of Shasta—laid on the table.

Senate bill No. 344, an Act to pay certain claims—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 343, an Act to punish persons sympathizing with traitors—amended, rules suspended, and considered engrossed.

On the final passage, the ayes and noes were demanded, by Messrs. Higby, McNabb, and Whiting, and taken, with the following result:

AYES—Messrs. Anderson, Cavis, Chamberlain, Crane, Cunningham, Harriman, Hathaway, Higby, Higgins, Holden, Kutz, McNabb, Nixon, Porter of Contra Costa, Powers, Shannon, Van Dyke, Wallis, and Whiting—19.

NOES—Messrs. Baker, Birdseye, Harvey, Oulton, Parks, and Shurtleff—6.

So the bill passed, and the title was amended.

Mr. Holden gave notice of a motion to reconsider.

Senate bill No. 342, an Act to amend section two of an Act entitled an Act extending the privileges of the Homestead Law to certain persons, and to regulate the creation of the same, approved March thirteenth, eighteen hundred and sixty—substitute adopted, ordered engrossed, and read third time.

Senate bill No. 341, an Act to provide for a State Gauger—amended, and returned to file.

Assembly bill No. 55, an Act supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five—indefinitely postponed.

Senate bill No. 98, an Act to improve the navigation of San Antonio Creek—indefinitely postponed.

Senate bill No. 53, an Act amendatory of and supplementary to an Act entitled an Act to establish and regulate Common Schools, and to repeal former Acts concerning the same, passed May third, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplementary thereto—indefinitely postponed.

Assembly bill No. 121, an Act to amend an Act entitled an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto—indefinitely postponed.

Senate bill No. 27, an Act supplementary to an Act to regulate Common Schools, approved May third, eighteen hundred and fifty-five, and all Acts amendatory thereof and supplementary thereto—indefinitely postponed.

Senate bill No. 291, an Act to appropriate the sum of eighteen thousand five hundred and ninety dollars, saved by the payment of the State's quota of the National tax in Treasury notes, in aid of recruiting and raising the volunteers recently called for by the proclamation of the Governor—indefinitely postponed.

Senate bill No. 167, an Act to amend an Act entitled an Act in rela-

tion to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two—*indefinitely postponed*.

Senate bill No. 259, an Act providing for a Camp of Military Instruction in this State—*indefinitely postponed*.

Senate bill No. 320, an Act to amend an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two—*indefinitely postponed*.

Senate bill No. 78, an Act authorizing the maintaining of a marine railway in the City and County of San Francisco—*indefinitely postponed*.

Mr. McCullough gave notice of a motion to reconsider.

Senate bill No. 329, an Act to protect creditors of corporations—*amended*.

On the motion to engross, the ayes and noes were demanded, by Messrs. Harriman, Powers, and Cavis, and taken, with the following result:

AYES—Messrs. Harvey, Parks, Shannon, Vineyard, and Whiting—5.

NOES—Messrs. Anderson, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Holden, Kutz, McCullough, McNabb, Oulton, Powers, Shurtleff, Van Dyke, and Wallis—20.

So the Senate refused to order the bill engrossed.

Assembly bill No. 249, an Act to amend an Act entitled an Act relating to the Thirteenth Judicial District, and to determine the time of holding the Courts in said district, approved May second, eighteen hundred and sixty-two—*read third time, and passed*.

Senate bill No. 352, an Act to pay the claim of Gregory Yale—*amended, rules suspended, considered engrossed, read third time, and passed*.

Senate bill No. 298, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto—*rules suspended, considered engrossed, read third time, and passed*.

Senate bill No. 350, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto—*rules suspended, considered engrossed, read third time, and passed*.

Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—*substitute adopted, ordered engrossed, and read third time*.

Senate bill No. 340, an Act to declare the operation and effect of certain deeds of confirmation and further assurance—*indefinitely postponed*.

Senate bill No. 349, an Act to regulate primary elections, to punish frauds thereat, and in State and county conventions or associations, or legislative conventions or caucuses.

Pending the consideration of the bill, Mr. Powers moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Booth, Cavis, and Anderson, and taken, with the following result:

AYES—Messrs. Anderson, Cavis, Chamberlain, Harriman, Higby, Higgins, Holden, Kutz, McNabb, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—14.

NOES—Messrs. Birdseye, Booth, Crane, Cunningham, Gaskill, Harvey,

Hathaway, McCullough, Oulton, Parks, Shurtleff, Van Dyke, Vineyard, and Whiting—14.

So the motion to adjourn was lost.

On the motion to lay the bill on the table, the ayes and noes were demanded, by Messrs. Shannon, Birdseye, and Booth, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Booth, Cunningham, Gaskill, Harvey, Higgins, Holden, Kutz, McCullough, Oulton, Parks, Powers, and Van Dyke—14.

NOES—Messrs. Cavis, Chamberlain, Crane, Harriman, Hathaway, Higby, McNabb, Porter of Contra Costa, Porter of Santa Cruz, Shannon, Shurtleff, Vineyard, Wallis, and Whiting—14.

So the motion to lay on the table was lost.

Mr. Powers moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Whiting, Harriman, and Holden, and taken, with the following result :

AYES—Messrs. Anderson, Booth, Cavis, Chamberlain, Harriman, Higby, Higgins, Holden, Kutz, McNabb, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, Vineyard, and Wallis—16.

NOES—Messrs. Birdseye, Crane, Cunningham, Gaskill, Harvey, McCullough, Oulton, Parks, Shurtleff, Van Dyke, and Whiting—11.

So at five o'clock and ten minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,

Tuesday, April 21st, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 204, an Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to re-con-

struct and make a wagon road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two;

Also, Senate bill No. 241, an Act appropriating money to pay the claim of H. C. Stockton;

Also, Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and amendments to the same, approved April eleventh, eighteen hundred and fifty-nine;

Also, Senate bill No. 360, an Act to confer further power upon the Buena Vista Vinticultural Association;

And this day, April seventeenth, eighteen hundred and sixty-three, at fifteen minutes past three o'clock, P. M., delivered said bills to the Governor for his approval;

Also, have examined, and found correctly enrolled, Senate bill No. 95, an Act to grant the right to construct a turnpike road between Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono;

And this day, April eighteenth, eighteen hundred and sixty-three, at eleven o'clock and twenty-five minutes, A. M., delivered the same to the Governor for his approval;

Also, have examined, and found correctly enrolled, Senate bill No. 161, an Act to amend an Act entitled an Act fixing the salaries of State officers and Clerks, passed May sixth, eighteen hundred and sixty-one;

Also, Senate bill No. 184, an Act to authorize John F. Hill, William Bryan, James P. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect tolls thereon;

Also, Senate bill No. 197, an Act to amend an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to this State by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one;

Also, Senate bill No. 225, an Act for the relief of Dr. S. M. Mouser;

Also, Senate bill No. 227, an Act to provide for the better maintenance of the indigent sick of Sonoma County;

Also, Senate bill No. 230, an Act to extend the provisions of an Act entitled an Act concerning hogs found running at large in certain counties to the Townships of Sonoma and Vallejo, in the County of Sonoma;

Also, Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco;

Also, Senate bill No. 253, an Act to authorize Edward Gallagher, James Gallagher, E. A. Poole, and their associates and assigns, to lay down water pipes in the Town of Aurora, County of Mono;

Also, Senate bill No. 333, an Act to direct the Controller of State in drawing his warrants;

And this day, April twentieth, eighteen hundred and sixty-three, at half past one o'clock, P. M., delivered the same to the Governor for his approval.

HIGGINS, Chairman.

Mr. Porter of Contra Costa, from the Committee on Public Buildings, made the following report:

Mr. PRESIDENT:—Your Committee on Public Buildings, to whom was

committed Senate bill No. 257, with instructions to report a bill providing for the construction of buildings for the State Asylum for the Deaf, Dumb, and Blind, by the issue of bonds, herewith report such a bill, and recommend its passage.

PORTER of Contra Costa, for Committee.

On motion of Mr. Porter of Contra Costa, the bill above reported was taken up, and considered, read first and second times, rules suspended, bill considered engrossed, read third time, and passed.

Mr. Abell made the following report:

Mr. PRESIDENT:—The Committee of Free Conference on the disagreeing vote of the two Houses relative to Assembly bill No. 319, an Act amendatory of and supplementary to an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, present the following report:

They recommend that the several Senate amendments be concurred in by the Assembly, with the exception of that in the fifth section, substituting the words "gold and silver coin" for the word "money;" that the words "in money," at that place, be stricken out, and that the amendments proposed by the Committee to section third be adopted.

ABELL,

PORTER of Santa Cruz,

CAVIS,

Senate Committee.

COLLINS,

WHEATON,

DAVIS,

Assembly Committee.

Adopted.

Mr. Doll made the following report:

Mr. PRESIDENT:—The Committee of Free Conference, appointed by the Senate and Assembly, on Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, A. D. eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four, having had the same under consideration, beg leave to report, and recommend that in the Senate amendment "For carrying out the provisions of the Stamp Act, new dies, salaries of clerks, etc., six thousand dollars," the sum of "six thousand" be stricken out, and "five thousand" be inserted in place thereof.

Also, that the Assembly concur in the following Senate amendments, to wit:

"For pay of Porter for State Library rooms, nine hundred dollars.

"For pay of Clerk to Board of Examiners, six hundred dollars.

"For pay of Expert to Board of Examiners, six hundred dollars."

That the Senate recede from its amendments to the item for the support of the State Normal School.

Also recommend the following amendments:

Insert after the word "dollars" in line third from bottom of page third, the words following: "For survey of State Prison grounds, and making map of same, one hundred and fifty dollars."

Insert after the word "dollars," in the first line of the sixth page, the

words: "For the Sacramento Howard Benevolent Association, two thousand dollars."

In the appropriation for the Home for the Care of the Inebriate, strike out "four thousand," and insert in place thereof "three thousand."

In the appropriation for the Magdalen Asylum, strike out "four thousand nine hundred and ninety," and insert in lieu thereof "three thousand."

In the appropriation for the San Francisco Ladies' Protection and Relief Society, strike out "four thousand nine hundred and ninety," and insert in lieu thereof "three thousand."

In the appropriation for the Roman Catholic Orphan Asylum of Los Angeles, strike out "three thousand," and insert in place thereof "two thousand."

Strike out in second line from bottom of the fifth page, the words: "For the Half Orphan Asylum of Sacramento, one thousand dollars."

In the appropriation for the Ladies' Patriotic Fund of the Pacific, strike out "three thousand," and insert in lieu thereof "two thousand."

Also, that the Senate recede from its amendment to line nine, on sixth page.

Also, that in the appropriation for salaries of Justices of the Supreme Court, the words "thirty thousand" be stricken out, and the words "twenty-six thousand five hundred," be inserted in place thereof.

DOLL,
GASKILL,
HARVEY,
Senate Committee.
RULE,
WHEATON,
ROBINSON,
Assembly Committee.

Adopted.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

MR. PRESIDENT:—The Finance Committee, to whom was referred Assembly bill No. 404, have had the same under consideration, and report the same back, without recommendation.

PERKINS, Chairman.

Mr. Cavis made the following report :

MR. PRESIDENT:—The undersigned, to whom was referred Assembly bill No. 501, an Act to amend an Act entitled an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County, approved March thirty-first, eighteen hundred and sixty-three, having had the same under consideration, reports it back, with a substitute, and recommends the passage of the substitute.

CAVIS, for Delegation.

Mr. Porter of Contra Costa made the following report :

MR. PRESIDENT:—The Contra Costa delegation, to whom was referred Assembly bill No. 378, an Act concerning hogs running at large in the County of Contra Costa, having considered the same, ask leave to report a recommendation that it pass, with the insertion of an enacting clause.

PORTER of Contra Costa, for Delegation.

Mr. Whiting verbally reported back Assembly bill No. 438, with the recommendation that it be referred to the Committee on Mines and Mining Interests.

So referred.

Mr. Holden made a verbal report, recommending passage of Assembly bill No. 375, an Act to grant the right to construct a bridge across the Albion River near its mouth.

Bill above reported read third time, and passed.

Mr. Baker made a verbal report, recommending passage of Assembly bill No. 394, an Act to grant the right to construct a wagon road in Tulare County.

Bill above reported amended, read third time, and passed.

Mr. Booth offered the following resolution:

Resolved, That the Governor be requested to return to the Senate, Senate bill No. 262, that the same may be correctly enrolled.

Adopted.

GENERAL FILE.

Senate bill No. 342, an Act to repeal an Act extending the privileges of the Homestead Law to certain persons, and to regulate the creation of the same, approved March thirteenth, eighteen hundred and sixty—read third time, and passed.

Assembly bill No. 338, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed, and title amended.

Mr. Higby gave notice of reconsideration.

Senate bill No. 349, an Act to regulate primary elections, to punish frauds thereat, and in State and county conventions or associations, or legislative conventions or caucuses—indefinitely postponed.

Assembly bill No. 100, an Act to amend an Act entitled an Act to amend an Act authorizing and empowering the Board of Supervisors of the County of Butte to levy a special tax on all the taxable property in said county for contingent purposes, approved March tenth, eighteen hundred and fifty-nine, approved March fifth, eighteen hundred and sixty-two—indefinitely postponed.

Assembly bill No. 80, an Act authorizing H. H. Buhne, and others, to erect and maintain a wharf in Humboldt County—laid on the table.

Assembly bill No. 428, an Act to regulate the fees in office in the County of Contra Costa—read third time, and passed.

Assembly bill No. 456, an Act to authorize the Board of Supervisors of Sonoma County to levy an additional tax for road purposes—read third time, and passed.

Assembly bill No. 268, an Act to authorize the issuance of School Land Warrants to Mary Ann Lee—read third time, and passed.

Assembly bill No. 388, an Act granting the right to construct and maintain a bridge across the Cosumnes River, in the County of Sacramento—read third time, and passed.

Assembly bill No. 387, an Act supplementary to an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, passed April twenty-fourth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 478, an Act concerning the terms of the Court of the Sixth Judicial District—read third time, and passed.

Assembly bill No. 270, an Act to provide for the election of a Board of Supervisors in the County of San Mateo—read third time, and passed.

Assembly bill No. 321, an Act to amend an Act to prohibit gaming, approved March seventh, eighteen hundred and sixty—read third time, and passed.

Assembly bill No. 447, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and sixty-three—amended, read third time, and passed.

Assembly bill No. 463, an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two—referred to the San Francisco delegation.

Senate bill No. 180, an Act to amend an Act to provide for the incorporation of wagon road companies, passed April twenty-second, eighteen hundred and fifty-three—indefinitely postponed.

Assembly bill No. 20, an Act to repeal an Act concerning certain salaries and fees in office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two—referred to the Monterey delegation.

Assembly bill No. 173, an Act for the relief of the enlisted men of the California Volunteers in the service of the United States—amended, read third time, and passed.

Assembly bill No. 424, an Act to appropriate funds for the defence of the State—amended, read third time, and passed.

Assembly bill No. 401, an Act to amend an Act for the better protection of farmers in certain portions of Sacramento County, approved April twenty-fifth, A. D. eighteen hundred and sixty-two—read third time, and passed.

Senate bill No. 359, an Act to appropriate money to pay certain claims—amended in Committee of the Whole.

On concurring in the amendment to strike out "three hundred and twenty-five" dollars and insert "five hundred" dollars, the ayes and noes were demanded, by Messrs. Oulton, Perkins, and Shurtleff, and taken, with the following result:

AYES—Messrs. Baker, Cavis, Clark, Crane, Cunningham, Harvey, Hathaway, Higby, Higgins, McCullough, McNabb, Nixon, Porter of Santa Cruz, Powers, Saxton, Shannon, and Vineyard—17.

NOES—Messrs. Birdseye, Bogart, Chamberlain, Harriman, Kutz, Lewis, Oulton, Parks, Perkins, Porter of Contra Costa, Shurtleff, and Whiting—12.

So the amendment was concurred in, and the bill was ordered engrossed.

Senate bill No. 357, an Act making an appropriation for the payment of the claim of Peter E. Farrell—indefinitely postponed.

Assembly bill No. 230, an Act supplementary to an Act entitled an Act to authorize Joseph M. Wood, and his associates, and their assigns, to build a wharf in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two.

On ordering the bill read the third time, the ayes and noes were demanded, by Messrs. Whiting, Saxton, and Oulton, and taken, with the following result:

AYES—Messrs. Baker, Cavis, Crane, Cunningham, Harriman, Hathaway, Higby, Parks, Perkins, Porter of Santa Cruz, Shaanon, Shurtleff, and Van Dyke—13.

NOES—Messrs. Abell, Kutz, Saxton, and Whiting—4.

So the bill was read third time, and passed.

Assembly bill No. 230, an Act to provide for the better maintenance of the indigent sick of the County of Shasta—amended, read third time, and passed.

Assembly bill No. 470, an Act to authorize the Board of Supervisors of the County of Yolo to issue certain bonds, and to provide for the payment of the principal and interest thereof—read third time, and passed.

Mr. Wallis moved to reconsider the vote by which the Senate, on yesterday, indefinitely postponed Senate bill No. 206, an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, eighteen hundred and sixty-two, and to contract a funded debt for that purpose.

On motion of Mr. Perkins, the motion to reconsider was made special order for eleven o'clock and thirty minutes, A. M., to-morrow.

Assembly bill No. 323, an Act to regulate the fees of certain county officers in the County of Siskiyou—indefinitely postponed.

Senate bill No. 279, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof and supplementary thereto—indefinitely postponed.

Assembly bill No. 258, an Act to amend an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five—amended, read third time, and passed, and title amended.

Assembly bill No. 458, an Act supplemental to an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, approved April thirteenth, eighteen hundred and sixty-three—read third time, and lost.

Senate bill No. 212, Amendments to the Constitution, made special order for two o'clock, P. M., April twenty-second, eighteen hundred and sixty-three.

Assembly bill No. 497, an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe fifty thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, etc.—laid on table.

Assembly bill No. 300, an Act to authorize Juan La Coste to sell certain real estate—read third time, and passed.

Assembly bill No. 352, an Act amendatory of an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine—read third time, and passed.

Assembly bill No. 301, an Act to authorize Antonio Suñol to sell certain real estate—read third time, and passed.

Assembly bill No. 326, an Act to amend an Act supplementary to an Act to prevent the trespassing of animals on private property, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 137, an Act to authorize Caleb S. Hobbs and others to build a wharf on the New Potrero, in the City and County of San Francisco—read third time.

On its passage, the ayes and noes were demanded, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McNabb, Nixon, Oulton, Parks, Perkins, Porter of Santa Cruz, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Wallis—31.

NOES—None.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 171, an Act to appropriate money to pay certain claims against the State for services and sundries furnished the State Reform School ;

Also, Senate bill No. 174, an Act appropriating money to pay the claim of Richard M. Jessup ;

Also, Senate bill No. 229, an Act to authorize the issuance of a duplicate School Land Warrant to Henry W. Peck ;

Also, Senate bill No. 304, an Act relative to the terms of the District Court in the Eleventh Judicial District of this State ;

Also, Senate bill No. 353, an Act to authorize the Board of Supervisors of El Dorado County to lease the branch wagon road in said county for a term of years ;

And, this day, April twenty-first, eighteen hundred and sixty-three, at two o'clock, P. M., delivered the same to the Governor for his approval.

HIGGINS, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 20th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 360, an Act to confer further powers upon the Buena Vista Vinticultural Association ;

Also, Senate bill No. 307, an Act to amend an Act entitled an Act concerning roads and highways in the County of Mariposa, approved April tenth, eighteen hundred and sixty-two ;

Also, Senate bill No. 231, an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Also, Senate bill No. 112, an Act to define the boundary of El Dorado County ;

Also, Senate bill No. 172, an Act to provide for the construction of a wagon road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State ;

Also, Senate bill No. 327, an Act to authorize the election of an Assistant Assessor for the City of Marysville ;

Also, Senate bill No. 203, an Act to authorize the Supervisors of Placer County to audit and allow the claim of George L. Anderson ;

Also, Senate bill No. 333, an Act to direct the Controller of State in drawing his warrants upon the State Treasurer;

Also, Senate bill No. 21, an Act concerning the Courts of Justice of this State, and judicial officers;

Also, Senate bill No. 113, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, Senate bill No. 295, an Act supplemental to and explanatory of an Act entitled an Act to allow James E. Nuttman, Marcus Harlow, and their assigns, to construct and maintain a toll road in the County of San Mateo, passed March twenty-fourth, eighteen hundred and sixty-three;

Also, Senate bill No. 252, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State;

Also, Senate bill No. 315, an Act to extend the time for the completion of a railroad in Contra Costa County;

Also, Senate bill No. 312, an Act to define the boundary line between the Counties of Monterey and San Luis Obispo;

Also, Senate bill No. 189, an Act to provide for the retention of the hides of cattle killed or slaughtered in certain counties of this State;

Also, Senate bill No. 308, an Act authorizing the Board of Supervisors of Butte County to appropriate certain moneys;

Also, Senate bill No. 283, an Act to authorize the Trustees of Petaluma School District to levy a tax for school purposes;

Also, Senate bill No. 183, an Act to fix the salary of the District Attorney of the County of Shasta;

Also, Senate bill No. 336, an Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a toll on certain roads in said county, approved February twenty-first, eighteen hundred and sixty-three;

Also, Senate bill No. 304, an Act to provide for the construction of the State Capitol Building in the City of Sacramento.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 20th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 157, an Act to provide for the inspection and sealing of gas meters, and for protecting the consumers of illuminating gas;

Also, passed an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco;

Also, passed Assembly bill No. 515, an Act amendatory of an Act entitled an Act to authorize D. B. Northrop, Horace Cole, E. B. Goddard, and their associates, to construct a plank road or bridge over Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 20th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 346, an Act for the repeal of sections two and three of an Act entitled

an Act for the protection and government of Indians, passed May twenty-second, eighteen hundred and fifty, and section one of an Act amendatory thereof, passed April eighteenth, eighteen hundred and sixty;

Also, passed Senate concurrent resolution No. 14, relative to Indian Affairs;

Also, adopted Assembly concurrent resolution No. 48, concerning the establishment of a State University;

Also, adopted Senate concurrent resolution No. 26, authorizing the Secretary of State to procure additional copies of Statutes of eighteen hundred and sixty-three;

Also, passed Senate bill No. 363, an Act making county warrants drawn on the General Fund of Tulare County receivable in payment for county taxes;

Also, receded from its amendments to Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California;

Also, concurred in Senate amendments to Assembly concurrent resolution No. 42, relative to National affairs;

Also, refused to concur in Senate amendment to Assembly bill No. 315, an Act to amend an Act entitled an Act for the erection of a building for a State Reform School, and for the regulation of the same, approved April eighteenth, eighteen hundred and sixty;

Also, concurred in the first Senate amendment to Assembly bill No. 243, concerning public ferries and toll bridges, and amended and concurred in the second Senate amendment to said bill. The Senate is requested to concur in the amendment as amended by the House;

Also, receded from that portion of its amendments to Senate bill No. 199, an Act to fix the salaries of judicial officers, in which the Senate refused to concur.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 21st, 1863. }

MR. PRESIDENT:—The Assembly, yesterday, passed Senate bill No. 176, an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arenas, in Mendocino County;

Also, passed Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, passed Senate bill No. 240, an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe twenty-five thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same;

Also, amended and passed Senate bill No. 228, an Act for the better protection of private property in certain counties of this State;

Also, amended and passed Senate bill No. 205, an Act concerning officers' fees in Tehama County;

Also, amended and passed Senate bill No. 223, an Act conferring further powers upon the Board of Levee Commissioners of the City and County of Sacramento;

Also, passed Senate bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of Sacramento.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 157, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 515, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly bill No. 503, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly concurrent resolution No. 48, above reported, referred to the Committee on Education.

Senate receded from its amendment to Assembly bill No. 315, above reported.

Senate refuse to concur in Assembly amendment to Senate amendment to Assembly bill No. 243, above reported.

Assembly bill No. 346, above reported, read first and second times, and referred to the Committee on Military Affairs.

The Senate concurred in Assembly amendments to Senate bill No. 228, above reported.

The Senate concurred in Assembly amendments to Senate bill No. 205, above reported.

The Senate concurred in Assembly amendments to Senate bill No. 223, above reported.

UNFINISHED BUSINESS.

Assembly bill No. 207, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

The question being on the motion to reconsider the vote by which the bill passed, the ayes and noes were demanded, by Messrs. Higgins, Cunningham, and Shannon, and taken, with the following result :

AYES—Messrs. Cavis, Chamberlain, Hathaway, Higby, Higgins, Kutz, McNabb, Nixon, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Shannon, and Wallis—14.

NOES—Messrs. Abell, Anderson, Baker, Birdseye, Bogart, Booth, Clark, Crane, Cunningham, Doll, Gaskill, Harvey, McCullough, Oulton, Parks, Shurtleff, Van Dyke, Vineyard, and Whiting—19.

So the motion to reconsider was lost.

At six o'clock and ten minutes, P. M., on motion of Mr. Clark, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 22d, 1863. }

Senate met pursuant to adjournment.
President in the Chair.
Roll called.
Quorum present.
Prayer by Reverend Mr. Cohen.
Journal of yesterday read and approved.

SPECIAL ORDER.

The hour for the special order having arrived, (Senate bill No. 206,) an Act to provide for paying certain demands issued on the faith and credit of the State, which became due and payable on the second day of May, eighteen hundred and sixty-two, and to contract a funded debt for that purpose, was taken up.

The question being, to reconsider the vote by which the Senate indefinitely postponed the bill, the ayes and noes were demanded, by Messrs. Oulton, Harvey, and Birdseye, and taken, with the following result:

AYES—Messrs. Baker, Bogart, Clark, Doll, Harvey, Holden, Lewis, Perkins, and Shurtleff—9.

NOES—Messrs. Anderson, Birdseye, Booth, Cavis, Chamberlain, Crane, Cunningham, Gaskill, Hathaway, Kutz, McNabb, Nixon, Oulton, Parks, Saxton, Shannon, Van Dyke, and Wallis—18.

RESOLUTIONS.

Mr. Higby offered the following resolution :

Resolved, That the Assembly be requested to return to the Senate Assembly bill No. 458, defeated in the Senate, yesterday, on the vote taken on final passage, to give opportunity to reconsider said vote.

Adopted.

Mr. McNabb offered the following resolution :

Resolved, That the delegation from Mendocino be and it is hereby required to report back to this House Senate bill No. 188, as amended by the Assembly.

Adopted.

REPORTS.

Mr. Kutz, from the Committee on Engrossment, made the following report :

MR. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 278, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and

fifty-one, and the several Acts amendatory thereof and supplemental thereto ;

Also, Senate bill No. 344, an Act to pay certain claims ;

Also, Senate bill No. 350, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto ;

Also, Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

KUTZ, for Committee.

Mr. Saxton, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and report correctly engrossed, Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State.

SAXTON, for Committee.

Mr. Nixon made the following report :

Mr. PRESIDENT :—A majority of your committee, to whom was referred Assen bly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison, having had the same under consideration, have amended the same, and recommend the passage of the bill as amended.

NIXON, Chairman.

Mr. Abell, Chairman of the Committee on Military Affairs, made the following report :

Mr. PRESIDENT :—The Committee on Military Affairs have had under consideration Senate bill No. 311, an Act to provide for an increase of pay of volunteers in the service of the United States mustered into the service in this State, and to create a Fund for the payment of the same, and have directed me to report it back, without recommendation.

ABELL, Chairman.

Mr. Abell, Chairman of the Committee on Education, made the following report :

Mr. PRESIDENT :—The Committee on Education have considered Assembly concurrent resolution No. 48, concerning the establishment of a State University, and have directed me to report it back, with the recommendation that it pass.

ABELL, Chairman.

Assembly concurrent resolution No. 48, above reported, read and adopted.

Mr. Birdseye made a verbal report, recommending that the Senate refuse to recede from its amendment to Assembly bill No. 70.

The Senate refused to recede, and appointed as a Committee of Free Conference on the part of the Senate, Messrs. Birdseye, Shannon, and Parks.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 76, an Act to audit and allow the claim of J. H. Sullivan and E. C. Cromwell, for writing done for the twelfth session, amounting to nine hundred and seventy-nine dollars and forty cents, and recommend the passage of the bill ;

Also, have had under consideration Assembly bill No. 439, an Act for the relief of John Herzo, amounting to two hundred and fifty-two dollars and ninety cents, and report the same back, and recommend the passage of the bill ;

Also, have had under consideration Assembly bill No. 143, an Act for the relief of James Osborn, amounting to forty-eight dollars and thirty-four cents, and report the same back, and recommend the passage of the bill ;

Also, have had under consideration Assembly bill No. 360, an Act for the relief of Matthew Crooks, amounting to seventy-five dollars and sixty cents, and report the same back, and recommend the passage of the bill ;

Also, have had under consideration Assembly bill No. 175, an Act supplementary to an Act for the payment of expenses incurred in the suppression of Indian hostilities in the County of Humboldt, in this State, approved March thirteenth, eighteen hundred and sixty-two, and report the same back, with amendments, and recommend the passage of the bill as amended ;

Also, have had under consideration Assembly bill No. 420, an Act to appropriate money for expenses in the contested election case of Gordon vs. McAllister, and report the same back, with an amendment, and recommend the passage of the bill as amended.

OULTON, Chairman.

Mr. Hathaway made the following report :

MR. PRESIDENT :—The San Francisco delegation, to whom was referred Assembly bill No. 508, have had the same under consideration, ask leave to report the same back, and recommend its passage.

HATHAWAY, for Delegation

Assembly bill No. 508, above reported, read third time, and passed.

Mr. Baker made a verbal report, recommending the passage of Assembly bill No. 395, an Act to authorize the County Auditor of Tulare County to issue bonds to aid in the construction of a wagon road.

Assembly bill No. 395, above reported, read third time, and passed.

Mr. Higgins made the following report :

MR. PRESIDENT :—The Placer delegation have considered Assembly bill No. 265, heretofore referred to them, report the same back, without amendment, and recommend its passage.

HIGGINS,
HARRIMAN.

Assembly bill No. 265, above reported, read third time, and passed.

Mr. Porter of Contra Costa, Chairman of the Committee on Agriculture, made the following report :

Mr. PRESIDENT:—Your Committee on Agriculture, to whom was referred Assembly bill No. 472, an Act supplemental to an Act entitled an Act for the encouragement of agriculture and manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two, having considered the same, ask leave to report, and recommend its passage;

Also, Senate bill No. 70, an Act to amend an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and fifty-one, and an Act supplementary and amendatory thereof, approved May fourteenth, eighteen hundred and sixty-one, with a recommendation that it be indefinitely postponed;

Also, report of Recording Secretary of State Agricultural Society, for eighteen hundred and sixty-two, without recommendation.

PORTER of Contra Costa, Chairman.

Mr. Abell made the following report:

Mr. PRESIDENT:—The San Francisco delegation have had under consideration Assembly bill No. 515, an Act amendatory of an Act entitled an Act to authorize D. B. Northrop, Horace Cole, E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and have directed me to report it back, with the recommendation that it be passed.

ABELL, for Delegation.

Assembly bill No. 515, above reported, read third time, and passed.

Mr. Abell made the following report:

Mr. PRESIDENT:—The San Francisco delegation have had under consideration Assembly bill No. 503, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, have proposed an amendment thereto, and have directed me to report it back, with the recommendation that it be passed as amended.

ABELL, for Delegation.

Mr. Abell made the following report:

Mr. PRESIDENT:—The San Francisco delegation have had under consideration Assembly bill No. 463, an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two, and have directed me to report it back, with the recommendation that it be passed.

ABELL, for Delegation.

Mr. Porter of Santa Cruz verbally reported back Assembly bill No. 20, with the recommendation that the bill be indefinitely postponed.

Assembly bill No. 20, above reported, indefinitely postponed.

SPECIAL ORDER.

Senate bill No. 212, proposed Amendments to the Constitution of the State of California, (special order of the day,) was taken up.

Upon the adoption of the amendments, as follows:

PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE STATE OF CALIFORNIA.

The Legislature of the State of California, at its fourteenth session, commencing on the fifth day of January, A. D. eighteen hundred and sixty-three, propose the following amendment to section one, of Article Two, of the Constitution.

"Section 1. Every white male citizen of the United States, and every white male citizen of Mexico, who shall have elected to become a citizen of the United States, under the treaty of peace exchanged and ratified at Querétaro, on the thirtieth day of May, eighteen hundred and forty-eight, of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and the county or district in which he claims his vote thirty days, and who shall have paid his poll tax, as provided by law, for the year in which he offers his vote, shall be entitled to vote at all elections which are now or hereafter may be authorized by law; *provided*, that nothing herein contained shall be construed to prevent the Legislature, by a two thirds concurrent vote, from admitting to the right of suffrage Indians, or the descendants of Indians, in such special cases as such a proportion of the Legislative body may deem just and proper."

The roll was called, with the following result:

AYES—Messrs. Abell, Anderson, Birdseye, Bogart, Cavis, Clark, Crane, Cunningham, Doll, Gaskill, Harvey, Hathaway, Highy, Kutz, McNabb, Nixon, Parks, Perkins, Porter of Santa Cruz, Powers, Wallis, and Whiting—22.

NOES—Messrs. Baker, Holden, Shurtleff, and Vineyard—4.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
April 22d, 1863. }

Mr. PRESIDENT:—The Assembly, yesterday, passed Senate bill No. 178, an Act in relation to library associations;

Also, indefinitely postponed Senate bill No. 19, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two, so far as the same relates to the County of Mendocino;

Also, indefinitely postponed Senate bill No. 49, an Act to audit and allow the claim of J. C. Doherty;

Also, passed Senate bill No. 207, an Act appropriating money to pay the claim of the San Francisco Gas Company;

Also, passed Senate bill No. 285, an Act to enable Jesus Maria and Mariano Soto to sell and convey or make partition of their estate, and removing their disability from nonage;

Also, passed Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject;

Also, passed Senate bill No. 35, an Act to legalize certain acknowledgements;

Also, passed Senate bill No. 160, an Act concerning crimes and punishments, and amended the title;

Also, passed Senate bill No. 200, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act of May twentieth, eighteen hundred and sixty-one, amendatory thereof;

Also, passed Senate bill No. 166, an Act to amend an Act entitled an Act concerning crimes and punishments, which took effect May^{sixth}, eighteen hundred and fifty;

Also, passed Senate bill No. 169, an Act respecting the fees of Court Commissioners;

Also, amended and passed Senate bill No. 219, an Act amendatory of and supplementary to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same;

Also, passed Senate bill No. 282, an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regarding the same, and to confer further powers upon the Auditor and Treasurer of said city and county;

Also, amended and passed Senate bill No. 173, an Act appropriating money to pay certain claims allowed by the Board of Military Auditors;

Also, passed Assembly bill No. 370, an Act to provide for the appointment of a Weigher of Coal in and for the City and County of San Francisco;

Also, passed Assembly bill No. 464, an Act to repeal an Act amendatory of and supplemental to an Act entitled an Act to establish a standard of weights and measures, approved May eleventh, eighteen hundred sixty-one;

Also, passed Assembly bill No. 467, an Act to enable certain minors to convey real estate;

Also, passed Assembly bill No. 484, an Act to authorize the collection of toll on the Hughes Trail, in Los Angeles County;

Also, amended and passed Senate bill No. 352, an Act to pay the claim of Gregory Yale;

Also, passed Assembly bill No. 391, an Act to authorize the sale and conveyance to the South San Francisco Homestead and Railroad Association of certain overflowed lands in the City and County of San Francisco;

Also, passed Assembly bill No. 347, an Act concerning mining associations and companies;

Also, passed Assembly bill No. 250, an Act amendatory of an Act providing for an Attorney and Counsellor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 21st, 1863. }

Mr. PRESIDENT :—The Assembly passed Senate bill No. 220, an Act to appropriate money for the geological survey of the State;

Also, concurred in the first and refused to concur in the second Senate amendment to Assembly bill No. 334, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, etc.;

Also, adopted the report of the Committee of Free Conference on Assembly bill No. 319, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, adopted the report of the Committee of Free Conference on Assembly bill No. 354, an Act making appropriations for the support of the civil government of this State for the fifteenth fiscal year, commencing on the first day of July, eighteen hundred and sixty-three, and ending on the thirtieth day of June, eighteen hundred and sixty-four;

Also, indefinitely postponed Senate bill No. 335, an Act to authorize P. R. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to charge and collect toll for travel thereon;

Also, concurred in Senate amendments to Assembly bill No. 287, an Act to provide for the reclamation of the Swamp and Overflowed Lands donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty;

Also, concurred in Senate amendments to Assembly bill No. 424, an Act to appropriate funds for the defence of the State;

Also, concurred in Senate amendments to Assembly bill No. 191, an Act to repeal section six of an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two;

Also, passed Assembly bill No. 50, an Act to authorize the construction and maintenance of a wharf in Contra Costa County;

Also, passed Assembly bill No. 274, an Act to authorize Nathan H. Stinson and his associates to build a wharf at the foot of Solano street, in the City and County of San Francisco;

Also, passed Assembly bill No. 345, an Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court, and to define his duties and compensation, approved April nineteenth, eighteen hundred and fifty-one;

Also, passed Assembly bill No. 510, an Act to authorize the Board of Supervisors of the County of Tuolumne to take and subscribe fifty thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto;

Also, passed Assembly bill No. 513, an Act to amend an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May seventeenth, eighteen hundred and sixty-one;

Also, refused to recede from Assembly amendments to section seventeen of Senate bill No. 239, an Act to provide for the sale of certain public lands belonging to this State, and Messrs. Whipple, Smith of Sierra, and Barton, have been appointed a Committee of Free Conference on the part of the House on the disagreeing vote. The Senate is requested to appoint a like committee to confer with them.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 22d, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 520, an Act amendatory of and supplemental to an Act to organize townships, and regulate their powers and duties, and submit the same to the

vote of the people, approved May fifteenth, eighteen hundred and sixty-two, and other Acts amendatory thereof;

Also, passed Assembly bill No. 521, an Act to incorporate the Town of Jackson, in Amador County;

Also, passed Assembly bill No. 522, an Act to create and organize a Fire Department in the Town of Jackson.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 22d, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 209, an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, approved April twenty-ninth, eighteen hundred and fifty-seven;

Also, amended and passed Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, and the several Acts amendatory thereof and supplemental thereto;

Also, passed Senate bill No. 296, an Act to prevent the fraudulent conveyance or encumbrance of real estate by married women;

Also, passed Assembly bill No. 518, an Act to fix the time of holding the Court of Sessions in the County of Napa, for the year eighteen hundred and sixty-three;

Also, passed Assembly bill No. 519, an Act concerning the Police Judge's Court of the City and County of San Francisco.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 22d, 1863. }

Mr. PRESIDENT:—The Assembly, on the twentieth of April, passed Assembly bill No. 190, an Act amendatory of and supplemental to an Act to establish Pilots and pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 22d, 1863. }

Mr. PRESIDENT:—In accordance with the request of the Senate, Assembly bill No. 458, which the Senate yesterday refused to pass, is herewith returned.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 518, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 520, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 384, above reported, read first and second times, and ordered on file.

Assembly bill No. 521, above reported, read first and second times, and ordered on file.

Assembly bill No. 519, above reported, read first and second times, and ordered on file.

Assembly bill No. 522, above reported, read first and second times, and ordered on file.

Assembly bill No. 370, above reported, read first and second times, and ordered on file.

Assembly bill No. 464, above reported, read first and second times, and ordered on file.

Assembly bill No. 391, above reported, read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

Assembly bill No. 294, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 190, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 209, above reported, referred to the Judiciary Committee.

Assembly bill No. 345, above reported, referred to the Judiciary Committee.

Assembly bill No. 467, above reported, referred to the Judiciary Committee.

Senate bill No. 219, above reported, referred to the Judiciary Committee.

Senate bill No. 280, above reported, referred to the Judiciary Committee.

Assembly bill No. 50, above reported, read first and second times, and referred to the Contra Costa delegation.

Senate concurred in Assembly amendments to Senate bill No. 352, above reported.

Senate concurred in Assembly amendments to Senate bill No. 173, above reported.

Senate concurred in Assembly amendments to Senate bill No. 220, above reported.

Senate concurred in Assembly amendments to Senate bill No. 160, above reported.

Assembly bill No. 484, above reported, read first and second times, and referred to the Los Angeles delegation.

Assembly bill No. 513, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Assembly bill No. 347, above reported, read first and second times, and referred to the Committee on Mines and Mining Interests.

Assembly bill No. 510, above reported, read first and second times, and referred to the Tuolumne delegation.

Assembly bill No. 250, above reported, read first and second times, and referred to the San Francisco delegation.

Messrs. Doll, Harvey, and Holden, were appointed a Committee of Free Conference on the disagreement between the two Houses on Senate bill No. 239, above reported, an Act to provide for the sale of certain public lands belonging to this State.

The vote by which the Senate, on yesterday, refused to pass Assembly bill No. 458, was, on motion of Mr. Higby, reconsidered, and the bill read third time, and passed.

Mr. McNabb, by leave, introduced a bill for an Act to organize the Fire Department of the Town of Santa Rosa.

Read first and second times, rules suspended, read third time, and passed.

Mr. Doll offered the following resolution :

Resolved, That J. W. Scott, B. Finnerty, D. O'Connor, and William McCoy, Porters of the Senate, be allowed two dollars a day extra pay, to date from their appointments, payable out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrants for the same.

Amended.

On the motion to adjourn, the ayes and noes were demanded, by Messrs. Porter of Santa Cruz, Perkins, and Birdseye, and taken, with the following result :

AYES—Messrs. Abell, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, Lewis, Nixon, Oulton, Parks, Powers, Saxton, and Shannon—15.

NOES—Messrs. Anderson, Baker, Birdseye, Bogart, Cavis, Crane, Doll, Higgins, Holden, McCullough, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—18.

The resolution was further amended.

Pending consideration, Mr. Powers moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Perkins, Shurtleff, and Porter of Santa Cruz, and taken, with the following result :

AYES—Messrs. Abell, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, Higgins, Lewis, McNabb, Nixon, Oulton, Parks, Powers, Saxton, and Shannon—17.

NOES—Messrs. Anderson, Baker, Birdseye, Bogart, Cavis, Crane, Holden, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—15.

So, at three o'clock and twenty-five minutes, P. M., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Thursday, April 23d, 1863. }

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Cohen.

Journal of yesterday read and approved.

REPORTS.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

Mr. PRESIDENT :—Your Committee on Commerce and Navigation have had under consideration Assembly bill No. 274, an Act to authorize Nathan H. Stinson, his associates, and his and their assigns, to build a wharf at the foot of Solano street, in the City and County of San Francisco, and beg leave to report the same back, with recommendation of indefinite postponement, for the reason that it interferes with a marine railway franchise, granted to Owens and others at the thirteenth session of the Legislature.

CLARK, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

Mr. PRESIDENT :—The Judiciary Committee, to whom was referred Assembly bill No. 467, an Act to enable certain minors to convey real estate, having had the same under consideration, report it back, without recommendation ;

Also, Senate bill No. 219, an Act amendatory of and supplementary to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same, report the same back, and recommend that the Senate concur in the Assembly amendments ;

Also, Assembly bill No. 345, an Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court, and to define his duties and compensation, approved April nineteenth, eighteen hundred and fifty-six, report it back, without recommendation ;

Also, Assembly bill No. 209, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, approved April twenty-ninth, eighteen hundred and fifty-seven, report it back, and recommend it be indefinitely postponed ;

Also, Assembly bill No. 362, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto, report it back amended, and recommend its passage as amended ;

Also, Senate bill No. 332, an Act to provide for the submission of the proposed Amendments to the Constitution of the State, as proposed by the Legislature of eighteen hundred and sixty-two, and agreed to by the Legislature of eighteen hundred and sixty-three, to the people at the next general election, report it back, and recommend it do not pass, the said amendments having failed to be agreed to by a majority of all the members elected to each House, as required by the Constitution before they can be submitted to the people.

VAN DYKE, Chairman.

Assembly amendments to Senate bill No. 219, above reported, concurred in.

Mr. Kutz, from the Committee on Engrossment, made the following report :

Mr. PRESIDENT :—The Committee on Engrossment have examined, and found correctly engrossed, Senate bill No. 359, an Act to appropriate money to pay certain claims.

KUTZ, for Committee.

Mr. Abell, from the Committee on Military Affairs, made the following report :

Mr. PRESIDENT :—The Committee on Military Affairs have had under consideration Assembly bill No. 346, an Act for the repeal of sections two and three of an Act entitled an Act for the protection and government of Indians, passed May twenty-second, eighteen hundred and fifty, and section first of an Act amendatory thereof, passed April eighteenth, eighteen hundred and fifty, have amended the same, and have directed me to report it back, with the recommendation that it be passed as amended.

ABELL, for Committee.

Mr. Porter of Contra Costa made the following report :

Mr. PRESIDENT :—The Contra Costa delegation, to whom was referred Assembly bill No. 50, an Act to authorize the construction of a wharf in Contra Costa County, ask leave to report, and recommend its passage.

PORTER of Contra Costa, for Delegation.

Assembly bill No. 50, above reported, read third time and passed.

Mr. Vineyard made the following report :

Mr. PRESIDENT :—The Los Angeles delegation have carefully examined Assembly bill No. 484, an Act to authorize the collection of toll on the "Hughes Trail," in Los Angeles County, and recommend its passage.

VINEYARD, for Delegation.

Assembly bill No. 484, above reported, laid on the table.

Mr. Clark made a verbal report, reporting back Assembly bill No. 250, an Act amendatory of an Act providing for an Attorney and Counsellor in and for the City and County of San Francisco.

Assembly bill No. 250, above reported, amended, read third time, and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 23d, 1863. }

Mr. PRESIDENT :—The Assembly have concurred in Senate amendments to Assembly bill No. 173, an Act for the relief of the enlisted men of the California Volunteers in the service of the United States;

Also, receded from its amendment to Assembly bill No. 243, an Act amendatory of an Act supplemental to an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, amendatory thereof and supplemental thereto, approved April fourteenth, eighteen hundred and sixty-two;

Also, concurred in Senate amendments to Assembly bill No. 258, an

Act to amend an Act entitled an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five;

Also, concurred in Senate amendments to Assembly bill No. 394, an Act to grant the right to construct a wagon road in Tulare County;

Also, concurred in Senate amendments to Assembly bill No. 447, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three;

Also, refused to concur in Senate amendments to Assembly bill No. 205, an Act to provide for the better maintenance of the indigent sick of the County of Shasta;

Also, concurred in the first, second, fifth, sixth, seventh, and eighth Senate amendments to Assembly bill No. 445, an Act making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending the thirtieth of June, eighteen hundred and sixty-three, and refused to concur in the third, fourth, and ninth amendments to the same bill. Messrs. Sears, Dudley of Solano, and Keys, have been designated a Committee of Free Conference on the part of the House, and the Senate is requested to appoint a like committee to confer with them;

Also, passed Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County;

Also, passed Senate bill No. 257, an Act to provide bonds for completing the Deaf, Dumb, and Blind Asylum;

Also, passed Assembly bill No. 331, an Act to appropriate money to pay the claim of A. E. Sherwood;

Also, refused to pass Senate bill No. 11, proposed Amendments to the Constitution;

Also, indefinitely postponed Senate bill No. 324, an Act to provide for the levying of a tax, and for the construction of a wagon road from the Town of Washington, in Yolo County, to a point near the Tule House, in said county;

Also, passed Assembly bill No. 311, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three;

Also, passed Assembly bill No. 332, an Act concerning gaming in the City and County of San Francisco;

Also, passed Assembly bill No. 361, an Act to authorize the Board of Supervisors in and for the County of Sacramento to levy a special tax for the erection of a public building in the Town of Folsom, in said county;

Also, passed Assembly bill No. 372, an Act to amend an Act entitled an Act to punish vagrants, vagabonds, and dangerous persons, approved April thirtieth, eighteen hundred and fifty-five;

Also, passed Assembly bill No. 403, an Act making appropriations for deficiencies for the thirteenth session of the Legislature;

Also, passed Assembly bill No. 430, an Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty;

Also, passed Assembly bill No. 423, an Act to revive an Act entitled an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five, and to legalize the acts of certain officers of Calaveras County for certain purposes;

Also, passed Assembly bill No. 500, an Act to authorize the Board of Supervisors of Solano County to levy an additional road tax;

Also, passed Assembly bill No. 504, an Act concerning estrays in the County of Napa;

Also, passed Assembly bill No. 516, an Act to provide for the division of Yolo County into Assessment Districts, for the election of District Assessors, etc.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 23d, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Assembly bill No. 514, an Act to aid the construction of the Central Pacific Railroad in the State of California, and other matters relating thereto.

I am further instructed to inform the Senate that the Assembly has received from the Governor the transactions of the State Agricultural Society for the past year.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 23d, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Assembly concurrent resolution No. 49, concerning the correction of a clerical error in Assembly bill No. 319, an Act concerning the militia of this State.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Messrs. Kutz, Wallis, and Parks, were appointed a Committee of Free Conference on the part of the Senate, on Assembly bill No. 445, above reported.

Assembly bill No. 516, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 500, above reported, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 504, above reported, read first and second times, and referred to the Napa delegation.

Assembly bill No. 430, above reported, read first and second times, and ordered on file.

Assembly bill No. 403, above reported, read first and second times, and referred to the Finance Committee.

Assembly bill No. 372, above reported, read first and second times, and referred to the Committee on Public Morals.

Senate refused to recede from its amendments to Assembly bill No. 334, above reported, and appointed as a Committee of Free Conference, Messrs. Perkins, Porter of Santa Cruz, and McNabb.

Senate refused to recede from its amendment to Assembly bill No. 205, above reported, and appointed as a Committee of Free Conference on the part of the Senate, Messrs. Shurtleff, Hathaway, and Lewis.

Assembly bill No. 311, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 361, above reported, read first and second times, and referred to the Sacramento delegation.

Assembly bill No. 423, above reported, read first and second times, rules suspended, read third time, and passed.

Senate concurred in Assembly concurrent resolution No. 49, above reported, concerning the correction of a clerical error.

Assembly bill No. 514, above reported, read first and second times, and ordered to top of file for to-morrow.

Assembly bill No. 331, above reported, read first and second times, and referred to the Committee on Claims.

RESOLUTIONS.

Mr. Porter of Contra Costa offered a concurrent resolution to authorize State Prison Directors to invite and receive plans and proposals for improving State Prison Buildings, etc.

Ordered on file with Assembly bill No. 271;

Also, a concurrent resolution relative to confirming certain sales of public lands.

Referred to the Committee on Public Lands.

On motion of Mr. Higby, Assembly bill No. 497, an Act to authorize the Board of Supervisors of Calaveras County to subscribe fifty thousand dollars to the capital stock of the Copperopolis Railroad Company, etc., was taken from the table, amended, read third time, and passed.

Mr. Cavis, by leave, made the following report:

Mr. PRESIDENT:—The undersigned, having had under consideration Assembly bill No. 510, an Act to authorize the Board of Supervisors of the County of Tuolumne to take and subscribe fifty thousand dollars to the capital stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto, asks leave to report the same back, with amendments, and recommends its passage as amended.

CAVIS, for Tuolumne and Mono delegation.

Assembly bill No. 510, above reported, was taken up, amended, read third time, and passed.

GENERAL FILE.

Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—read third time, and passed.

Senate bill No. 311, an Act to provide for an increase of pay of volunteers in the service of the United States mustered into the service in this State, and to create a Fund for the payment of the same—indefinitely postponed.

Assembly bill No. 404, an Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, and of an Act amendatory of and supplementary to said Act, approved April nineteenth, eighteen hundred and fifty-nine, approved March eighteenth, eighteen hundred and sixty-two.

On the passage, the ayes and noes were demanded, by Messrs. Birdseye, Chamberlain, and Wallis, and taken, with the following result:

AYES—Messrs. Abell, Birdseye, Chamberlain, Clark, Doll, Gaskill, Har-

vey, Hathaway, Higby, Higgins, Holden, McCullough, McNabb, Powers, Saxton, Shurtleff, Van Dyke, and Wallis—18.

NOES—Messrs. Anderson, Booth, Cavis, Crane, Harriman, Kutz, Oulton, and Whiting—8.

Messrs. Lewis and Porter of Santa Cruz paired off.

Messrs. Perkins and Shannon paired off.

Mr. Birdseye gave notice of a motion to reconsider.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly :

ASSEMBLY CHAMBER.

April 23d, 1863. }

MR. PRESIDENT:—The Assembly have amended and passed Senate bill No. 90, an Act to provide for the improvement and protection of wharves, docks, and water front, in the City and County of San Francisco ;

Also, passed Assembly bill No. 424, an Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved May seventeenth, eighteen hundred and sixty-one.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

The question being on concurring in Assembly amendments to Senate bill No. 90, above reported, the ayes and noes were demanded, by Messrs. Perkins, Chamberlain, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Booth, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harvey, Hathaway, Higby, Higgins, Holden, McCullough, McNabb, Oulton, Perkins, Powers, Saxton, Shannon, and Van Dyke—22.

NOES—Messrs. Anderson, Baker, Doll, Lewis, Vineyard, and Wallis—6.

Mr. Perkins gave notice of a motion to reconsider the concurrence.

Assembly bill No. 424, above reported, read first and second times.

On the motion to suspend the rules and consider the bill now, the ayes and noes were demanded, by Messrs. Holden, Lewis, and Doll, and taken, with the following result :

AYES—Messrs. Abell, Chamberlain, Clark, Crane, Higby, McNabb, Perkins, Powers, Shannon, Wallis, and Whiting—11.

NOES—Messrs. Anderson, Booth, Cavis, Cunningham, Doll, Gaskill, Harriman, Harvey, Hathaway, Holden, Lewis, McCullough, Oulton, Porter of Contra Costa, Saxton, and Shurtleff—16.

So the motion was lost.

The bill was referred to the Mendocino delegation.

On the motion to adjourn, the ayes and noes were demanded, by Messrs. Powers, Wallis, and Chamberlain, and taken, with the following result :

AYES—Messrs. Gaskill, Lewis, and Powers—3.

NOES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Chamberlain, Clark, Cunningham, Doll, Harriman, Harvey, Hathaway, Highy, McCullough, McNabb, Oulton, Perkins, Porter of Contra Costa, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—25.

GENERAL FILE RESUMED.

Assembly bill No. 519, an Act concerning the Police Judge's Court of the City and County of San Francisco—read third time, and passed.

Assembly bill No. 420, an Act to appropriate money to pay a claim arising under a commission, authorized by the Assembly at the thirteenth session of the Legislature, to take testimony in the contested election of Gordon vs. McAllister—amended, read third time, and passed.

Assembly bill No. 76, an Act to audit and allow the claim of J. H. Sullivan and E. C. Cromwell—read third time, and passed.

Assembly bill No. 439, an Act for the relief of John Herzo—read third time, and passed.

*Assembly bill No. 472, an Act supplemental to an Act entitled an Act for the encouragement of agriculture and manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 143, an Act for the relief of James Osborn, County Treasurer of Klamath County—read third time, and passed.

Assembly bill No. 360, an Act for the relief of Matthew Crooks—read third time, and passed.

Senate bill No. 341, an Act to provide for a State Gauger—laid on the table.

Senate bill No. 70, an Act to amend an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and sixty-one, and an Act supplementary and amendatory thereof, approved May fourteenth, eighteen hundred and sixty-one—indefinitely postponed.

Assembly bill No. 175, an Act supplementary to an Act entitled an Act for the payment of expenses incurred in the suppression of Indian hostilities in the County of Humboldt, in this State, approved March thirteenth, eighteen hundred and sixty-two—amended, read third time, and passed.

Mr. Gaskill reported back Assembly bill No. 403, an Act making appropriations for deficiencies for the thirteenth session of the Legislature, and recommended its passage.

Assembly bill No. 403, above reported, was taken up, read third time, and passed.

Assembly bill No. 463, an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 521, an Act to incorporate the Town of Jackson, in Amador County—read third time, and passed.

Assembly bill No. 522, an Act to create and organize a Fire Department for the Town of Jackson—read third time, and passed.

Assembly bill No. 370, an Act to provide for the appointment of a Weigher of Coal in and for the City and County of San Francisco—read third time, and passed.

Assembly bill No. 503, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco—amended, read third time, and passed.

On the motion to adjourn, the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Oulton, and taken, with the following result :

AYES—Messrs. Birdseye, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Holden, Kutz, Lewis, Oulton, Parks, and Perkins—13.

NOES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Crane, Harvey, Nixon, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—17.

REPORTS.

Mr. Cavis, Chairman of the Committee on Roads and Highways, made the following report :

MR. PRESIDENT:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 513, an Act to amend an Act to provide for the establishment, maintenance, and protection of public and private roads, approved May seventeenth, eighteen hundred and sixty-one, having had the same under consideration, ask leave to report the same back, with amendments, and recommend its passage, as amended.

CAVIS, Chairman.

Assembly bill No. 513, above reported, was taken up, amended, read third time, and passed.

Mr. Clark made a verbal report, recommending the passage of Assembly bill No. 372, an Act to amend an Act entitled an Act to punish vagrants, vagabonds, and dangerous persons, approved April thirtieth, eighteen hundred and fifty-five.

Assembly bill No. 372, above reported, was read third time.

On the passage, the ayes and noes were demanded, by Messrs. Gaskill, Powers, and Chamberlain, and taken, with the following result :

AYES—Messrs. Birdseye, Booth, Cavis, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higby, McCullough, Nixon, Oulton, Parks, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—22.

NOES—Messrs. Baker, Chamberlain, Kutz, and Lewis—4.

So the bill passed.

On the motion of Mr. Perkins to adjourn, the ayes and noes were demanded, by Messrs. Gaskill, Perkins, and Chamberlain, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Birdseye, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Holden, Kutz, Lewis, Oulton, Parks, and Perkins—15.

NOES—Messrs. Baker, Booth, Cavis, Crane, Doll, Harvey, Higby, McCullough, Nixon, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—16.

Mr. Birdseye made the following report :

MR. PRESIDENT:—The Committee of Free Conference on the disagree-

ing vote of the two Houses on substitute for Assembly bill No. 70, an Act to amend an Act relating to the levying of taxes, recommend that the Assembly concur in Senate amendment.

BIRDSEYE, Chairman,
SHANNON,
PARKS,

Senate Committee.

ROBINSON, Chairman,
SEARS,
HARTSON,

Assembly Committee.

Adopted.

On the motion of Mr. Perkins to adjourn, the ayes and noes were demanded by Messrs Perkins, Gaskill, and Hathaway, and taken with the following result :

AYES.—Messrs. Abell, Anderson, Birdseye, Chamberlain, Clark, Cunningham, Gaskill, Harriman, Hathaway, Higby, Holden, Kutz, Lewis, Oulton, Parks, and Perkins—16.

NOES.—Messrs. Baker, Booth, Cavis, Crane, Doll, Harvey, McCullough, Nixon, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—15.

So at four o'clock and fifteen minutes, p. m., the Senate adjourned.

A. M. CRANE,

President pro tem of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Friday, April 24th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Carleton.

Journal of yesterday read and approved.

REPORTS.

Mr. Holden, Chairman of the Committee on Public Lands, made the following report :

MR. PRESIDENT :—The Committee on Public Lands, to whom was referred Senate concurrent resolution No. 28, have had the same under consideration, and I am instructed to report the same back to the Senate, with a recommendation that it be passed.

HOLDEN, Chairman.

Senate concurrent resolution No. 28, above reported, read third time, and passed.

Mr. Perkins made the following report :

Mr. PRESIDENT :—The Committee of Free Conference on the disagreeing vote of the two Houses on Senate amendment to the first section of Assembly bill No. 334, an Act to confer additional power upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board, recommend that the Senate recede from its amendment, being the fourth subdivision of section one.

PERKINS,
PORTER of Santa Cruz,
McNABB,
Senate Committee.

DODGE,
BANKS,
WHEATON,
Assembly Committee.

Adopted.

Mr. Harvey, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

Mr. PRESIDENT :—The Committee on Swamp and Overflowed Lands, to whom was referred Assembly bill No. 391, an Act to authorize the sale and conveyance to the South San Francisco Homestead and Railroad Association of certain overflowed lands in the City and County of San Francisco, have had the same under consideration, and report the same back, and recommend its passage without amendment.

HARVEY, Chairman.

On motion to postpone the consideration of the General File, and consider the bill above reported, the ayes and noes were demanded, by Messrs. Chamberlain, Lewis, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Cavis, Clark, Crane, Harvey, Hathaway, Higby, Holden, McCullough, McNabb, Nixon, Parks, Powers, Saxton, Shannon, Shurtleff, Vineyard, and Wallis—19.

NOES—Messrs. Anderson, Chamberlain, Cunningham, Gaskill, Harriman, Lewis, and Porter of Santa Cruz—7.

The consideration of the bill was resumed, and read third time.

On the passage, the ayes and noes were demanded, by Messrs. Porter of Santa Cruz, Gaskill, and Cunningham, and taken, with the following result :

AYES—Messrs. Abell, Baker, Booth, Cavis, Clark, Crane, Harriman, Harvey, Hathaway, Holden, McNabb, Nixon, Parks, Perkins, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Shannon, Vineyard, and Wallis—21.

NOES—Messrs. Anderson, Chamberlain, Cunningham, Doll, Gaskill, Kutz, Lewis, McCullough, and Shurtleff—9.

So the bill passed.

Mr. Porter of Santa Cruz gave notice of a motion to reconsider.

Mr. Porter of Santa Cruz made the following report :

Mr. PRESIDENT :—The Committee of Free Conference on the disagreeing vote of the two Houses on Assembly bill No. 445, an Act making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three, ask leave to report, and recommend that the Senate recede from its action on Senate amendments numbered three and four, and that the Assembly concur in the ninth amendment.

KUTZ,
PARKS,
WALLIS,

Senate Committee.

SEARS,
DUDLEY of Solano,
KEYS,

Assembly Committee.

Adopted.

Mr. Holden, from the Committee on Enrolment, made the following report :

Mr. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate bill No. 1, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one ;

Also, Senate bill No. 71, an Act for the relief of Matthew Bird :

Also, Senate bill No. 102, an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty ;

Also, Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty ;

Also, Senate bill No. 141, an Act to amend section eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty ;

Also, Senate bill No. 242, an Act appropriating money to pay certain claims ;

Also, Senate bill No. 254, an Act concerning roads and highways in the County of San Mateo ;

Also, Senate bill No. 352, an Act to pay the claim of Gregory Yale ;

Also, Senate bill No. 351, an Act relative to the election of District Tax Collectors and Assessors in Placer County ;

And this day, April twenty-third, eighteen hundred and sixty-three, at four o'clock, P. M., delivered said bills to the Governor for his approval.

HOLDEN, for Committee.

Mr. Abell made the following report :

Mr. PRESIDENT :—The San Francisco delegation have had under consideration Assembly bill No. 157, an Act to provide for the inspection and sealing of gas meters, and for the protection of consumers of illuminating gas, and, having proposed certain amendments thereto, have

directed me to report it back, with the recommendation that it be passed as amended.

ABELL, for Delegation.

Mr. Abell made the following report :

Mr. PRESIDENT :—The Committee of Free Conference, to whom was referred Assembly bill No. 91, an Act amendatory of and supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplemental thereto, having had the same under consideration, report it back, with the recommendation that the accompanying amendment to the first Senate amendment be adopted, and that the Assembly concur in all the other Senate amendments.

ABELL,

For Senate Committee.

BANKS,

For Assembly Committee.

Adopted.

Mr. Harvey, from the Committee on Corporations, made the following report :

Mr. PRESIDENT :—The Committee on Corporations, to whom was referred Senate bill No. 358, an Act granting the right of way, and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory, have had the same under consideration, and report the same back, and recommend its passage with amendments.

HARVEY, for Committee.

Senate bill No. 358, above reported, was taken up, amended, rules suspended, considered engrossed, read third time, and passed.

RESOLUTIONS.

Mr. Oulton offered the following resolution :

Resolved, That Holland Smith and L. M. Foulke, Copying Clerks of the Senate, are hereby authorized and directed to write up and complete the Appendix to the Senate Journal, which may be unfinished at the close of the present session, at a compensation of fifteen cents per folio, commencing at the page completed at the time of adjournment, which page shall be certified to the Controller of State by the Secretary of the Senate, and when completed, the said Copying Clerks shall deliver the work done to the Controller, who shall compute and audit the same, and draw his warrant in favor of said Smith and Foulke for the amount found to be due, payable out of the Contingent Fund of the Senate.

Adopted.

Mr. Parks offered the following resolution :

Resolved, That the Sergeant-at-Arms of the Senate be allowed four days time, and the usual per diem, to settle up his books, accounts, etc., and for delivering to the State Library books of Senators and documents in his possession; and that H. Clock be allowed twenty-five dollars for returning all furniture now in committee rooms, under the direction of the Sergeant-at-Arms, to the Secretary of State; and E. P. Weeks, Post

Office Page, one week time, at the usual per diem ; and the Controller is hereby authorized to draw his warrants for the above amounts.

Adopted.

Mr. Perkins, by leave, introduced a bill for an Act to appropriate money to pay contingent expenses of the Legislature at its fourteenth session.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Senate bill No. 359, an Act to appropriate money to pay certain claims—read third time, and passed.

Assembly bill No. 514, an Act to aid the construction of the Central Pacific Railroad in the State of California, and other matters relating thereto.

Mr. Clark offered the following as a substitute for section four, making the original section four, section five :

“Section 4. All contracts for grading, construction of bridges, culverts, and other works on said Central Pacific Railroad, shall in no case be let until after public advertisement, with sufficient specifications to enable parties wishing to do so, to make estimates and bids. Said advertisements to be published at least thirty days in three papers having the largest circulation in each of the Counties of San Francisco, Sacramento, and Placer, fixing the day and place where parties desiring to do so, may attend at the opening of bids which may be offered, and the Directors shall award all contracts to the lowest bidder, upon his giving, within ten days thereafter, satisfactory security for the fulfilment of such contract; *provided*, that the Directors may reject all bids, if they deem them too high, and re-advertise for further proposals in like manner as specified above.”

On the adoption of which, the ayes and noes were demanded, by Messrs. Clark, Perkins, and Abell, and taken, with the following result :

AYES—Messrs. Abell, Chamberlain, Clark, Cunningham, Doll, Gaskill, Harvey, Hathaway, Holden, Kutz, Wallis, and Whiting—12.

NOES—Messrs. Anderson, Baker, Birdseye, Booth, Cavis, Crane, Harriman, Higby, Higgins, Lewis, Nixon, Oulton, Parks, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, and Vineyard—20.

So the amendment was lost.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Holden, Van Dyke, and Hathaway, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Birdseye, Booth, Cavis, Chamberlain, Clark, Crane, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, Lewis, McNabb, Nixon, Perkins, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—28.

NOES—Messrs. Cunningham, Doll, Holden, and Parks—4.

REPORTS.

Mr. Doll made the following report :

MR. PRESIDENT:—The Committee of Free Conference, to whom was referred Senate bill No. 239, have had the same under consideration, and beg leave to report the following amendments, to wit: Amend section seventeenth of the bill as it passed the Senate by striking out lines five to ten, inclusive.

And amend line eleventh, section seventeenth, so as to read as follows: "*Provided*, such certificate of purchase shall not be so construed."

DOLL,

HARVEY,

HOLDEN,

Senate Committee.

WHIPPLE,

SMITH of Sierra,

BARTON.

Assembly Committee.

Adopted.

Mr. Harvey made the following report :

MR. PRESIDENT:—The El Dorado delegation, to whom was referred Assembly bill No. 512, an Act to fix the compensation of the Tax Collector of the County of El Dorado, and his Deputies, in certain cases, have had the same under consideration, and report the same back, and recommend its passage without amendment.

HARVEY,
SAXTON.

Assembly bill No. 512, above reported, was taken up, read third time, and passed.

GENERAL FILE RESUMED.

Assembly bill No. 464, an Act to repeal an Act amendatory of and supplemental to an Act entitled an Act to establish a standard of weights and measures, approved May eleventh, eighteen hundred and sixty-one—read third time, and passed.

Mr. Lewis gave notice of a motion to reconsider.

Assembly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison.

Mr. Crane moved that the reading of the bill be dispensed with, except that part requiring amendments.

On which, the ayes and noes were demanded, by Messrs. Gaskill, Cunningham, and Hathaway, and taken, with the following result :

AYES—Messrs. Anderson, Chamberlain, Crane, Doll, Harriman, McNabb, Nixon, Powers, Saxton, Shannon, and Wallis—11.

NOES—Messrs. Abell, Birdseye, Cunningham, Gaskill, Harvey, Hathaway, Holden, Oulton, Parks, Perkins, Porter of Santa Cruz, Shurtleff, and Van Dyke—13.

So the bill was read.

Pending the consideration of the bill, Mr. Oulton was granted leave

to introduce a concurrent resolution relative to a Joint Convention for the election of a State Harbor Commissioner.

Adopted.

The consideration of Assembly bill No. 271 was resumed.

On the motion of Mr. Gaskill to adjourn to seven o'clock this evening, the ayes and noes were demanded, by Messrs. Gaskill, Porter of Santa Cruz, and Cunningham, and taken, with the following result:

AYES—Messrs. Cunningham, Gaskill, Hathaway, Higby, Higgins, Holden, Kutz, Perkins, and Vineyard—9.

NOES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Chamberlain, Clark, Crane, Harvey, McCullough, McNabb, Nixon, Oulton, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Wallis, and Whiting—21.

The bill was further considered in Committee of the Whole.

At four o'clock and forty-five minutes, p. m., on motion of Mr. Gaskill, the Senate adjourned until seven o'clock this evening.

EVENING SESSION.

Senate met pursuant to adjournment.

President pro tem in the Chair.

Roll called.

No quorum present.

Mr. McNabb moved a call of the Senate.

Carried.

Messrs. Higgins, Parks, Powers, and Whiting, appearing at the bar of the Senate, were admitted.

On motion of Mr. Oulton, further proceedings under the call were suspended.

GENERAL FILE.

Consideration of Assembly bill No. 271, an Act for the government and support of the State Prison, and for the establishment of a Branch Prison, resumed in Committee of the Whole—further considered.

Pending consideration, the following message from the Governor was received:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 24th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 90, an Act to provide for the improvement and protection of the wharves, docks, and water front, in the City and County of San Francisco.

LELAND STANFORD, Governor.

On motion of Mr. Gaskill, the Senate took a recess of ten minutes.

SENATE RE-ASSEMBLED.

Senate called to order, and, pursuant to Senate concurrent resolution No. 30, proceeded to the Assembly Chamber.

IN JOINT CONVENTION.

The Senate and Assembly met in Joint Convention, pursuant to Senate concurrent resolution No. 30.

Lieutenant-Governor Chellis and Speaker Machin presiding.

Senate roll called.

Absent—Messrs. Bogart, Burnell, Higby, and Pacheco.

Assembly roll called.

Absent—Messrs. Adams, Adkison, Castro, Clark, Duncombe, Herrington, Howell, Johnson, J. J. Owen, J. W. Owen, Patten, Personette, and Varney.

Senate concurrent resolution No. 30 was read.

FOR STATE HARBOR COMMISSIONER.

Mr. Perkins nominated Mr. S. S. Tilton.

Mr. Oulton nominated Mr. C. L. Taylor.

The roll was called, with the following result:

Names.	Tilton.	Taylor.
Abell.....		1
Anderson.....	1	
Baker.....	1	
Birdseye.....	1	
Bogart.....		
Booth.....		1
Burnell.....		
Cavis.....		1
Chamberlain.....		1
Clark.....		1
Crane.....		1
Cunningham.....		1
Doll.....	1	
Gaskill.....		1
Harriman.....	1	
Harvey.....	1	
Hathaway.....	1	
Higby.....	1	
Higgins.....	1	
Holden.....	1	
Kutz.....		
Lewis.....	1	
McCullough.....		1
McNabb.....	1	
Nixon.....	1	
Oulton.....		1
Pacheco.....		
Parks.....	1	
Perkins.....	1	
Porter of Contra Costa.....		1
Porter of Santa Cruz.....	1	
Powers.....	1	

Names.	Tilton.	Taylor.
Saxton.....	1	
Shaannon.....	1	
Shurtleff.....	1	
Van Dyke.....	1	
Vineyard.....	1	
Wallis.....	1	
Whiting.....	1	
Adams.....		
Adkison.....		
Allen.....	1	
Ames.....	1	
Andrews.....	1	
Banks.....		1
Barclay.....	1	
Barstow.....	1	
Barton.....	1	
Beeson.....	1	
Blanchard.....		1
Burr.....	1	
Butler.....		1
Castro.....		
Chappell.....	1	
Clark.....		
Collins.....		1
Crawford.....		1
Davis.....	1	
Deeth.....	1	
Denniston.....	1	
Dodge.....		1
Dore.....		1
Dudley of Placer.....	1	
Dudley of Solano.....		1
Duncombe.....		
Dunne.....	1	
Estee.....		
Farley.....	1	
Fitch.....	1	
Freeman.....	1	
Gunnison.....	1	
Herrington.....		
Hartson.....	1	
Haswell.....	1	
Hill.....	1	
Howell.....		
Irwin.....	1	
Johnson.....		
Kewen.....	1	
Keys.....	1	
Kincaid.....		
Lux.....	1	
Martin.....		1

Names.	Tilton.	Taylor.
McDonald	1	
Moore		1
Meyers		1
Orr.....	1	
Owen, J. J.		
Owen, J. W.....		
Palmer	1	
Patten.....	1	
Personette.....		
Redfield	1	
Rider.....	1	
Robertson.....	1	
Robinson.....		1
Rule		1
Sanderson.....	1	
Sargent.....	1	
Scott.....		1
Sears.....	1	
Simpson.....	1	
Smith, of Butte	1	
Smith, of Sierra.....	1	
Sutton	1	
Swift.....	1	
Torrance	1	
Varney.....		
Walker.....	1	
Warwick	1	
Watson.....	1	
Wheaton		1
Whipple.....	1	
Wilcox	1	
Willson.....	1	
Wright of Contra Costa.....		1
Wright of Del Norte.....		1
Yule.....	1	
Mr. Speaker	1	
Total	73	28

Whole number of votes cast.....101
 Necessary to a choice..... 51
 Mr. Tilton received 73
 Mr. Taylor received 28

Mr. Tilton, having received a majority of all the votes cast, was declared duly elected.

The President declared the Convention adjourned, *sine die*.

IN SENATE.

President in the Chair.

On the motion to adjourn, the ayes and noes were demanded, by Messrs. McNabb, Nixon, and Oulton, and taken, with the following result :

AYES—Messrs. Birdseye, Cavis, Chamberlain, Cunningham, Gaskill, Hathaway, Higby, Holden, Perkins, Porter of Santa Cruz, Powers, and Wallis—12.

NOES—Messrs. Abell, Anderson, Baker, Booth, Clark, Crane, Doll, Harriman, Harvey, McCullough, McNabb, Nixon, Oulton, Parks, Porter of Contra Costa, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—21.

The consideration of Assembly bill No. 271 was again resumed.

On the motion of Mr. Parks to indefinitely postpone, the ayes and noes were demanded, by Messrs. Nixon, McNabb, and Crane, and taken, with the following result :

AYES—Messrs. Birdseye, Cavis, Clark, Cunningham, Gaskill, Hathaway, Holden, McCullough, Oulton, Parks, Porter of Santa Cruz, Powers, and Wallis—13.

NOES—Messrs. Abell, Anderson, Baker, Chamberlain, Crane, Doll, Harriman, Harvey, McNabb, Nixon, Porter of Contra Costa, Saxton, Shannon, Shurtleff, Van Dyke, and Whiting—16.

On concurring in the amendments made in Committee of the Whole, the ayes and noes were demanded, by Messrs. Shannon, Gaskill, and McCullough, and taken, with the following result :

AYES—Messrs. Abell, Birdseye, Cavis, Clark, Crane, Cunningham, Gaskill, Hathaway, McCullough, Oulton, Porter of Santa Cruz, and Wallis—12.

NOES—Messrs. Anderson, Baker, Booth, Chamberlain, Doll, Harriman, Harvey, Holden, McNabb, Nixon, Parks, Porter of Contra Costa, Powers, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, and Whiting—19.

So the amendments were not concurred in.

Pending the consideration, at nine o'clock and thirty minutes, P. M., on motion of Mr. Birdseye, the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest : JOHN WHITE, Secretary of Senate.

IN SENATE.

SENATE CHAMBER,
Saturday, April 25th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

Mr. Perkins moved to reconsider the vote by which the Senate, on yesterday, passed Assembly bill No. 464, an Act to repeal an Act amendatory of and supplemental to an Act to establish a standard of weights and measures, approved May eleventh, eighteen hundred and sixty-one.

On motion of Mr. Abell, the motion to reconsider was indefinitely postponed.

On motion of Mr. Doll, the Secretary was instructed to transmit to the Assembly the original Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

Mr. McCullough presented a petition from citizens of Stanislaus County, praying for the passage of a law allowing the county to issue bonds to the amount of twenty-five thousand dollars, to aid in the construction of the Stockton and Copperopolis railroad.

Laid on the table.

REPORTS.

Mr. Oulton, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :—The Committee on Claims have had under consideration Assembly bill No. 331, an Act to appropriate money to pay the claim of A. E. Sherwood, and report the same back, without recommendation.

This bill appropriates the sum of one hundred and thirty-one dollars and forty cents to pay the claim of A. E. Sherwood, for supplies furnished the expedition against the Indians in the Counties of Tehama, Shasta, Butte, and Plumas, under the command of W. C. Kibbe, in the year eighteen hundred and fifty-nine. The greater part of the expenses of this expedition was, in the first instance, paid by the State, and afterwards allowed in part to the State by the General Government. The vouchers accompanying the bill are regular, and conclusive of the fact that the supplies were furnished by the claimant.

OULTON, Chairman.

Mr. Van Dyke, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :—The Judiciary Committee, to whom was referred Assembly bill No. 311, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, having had the same under consideration, report it back, and recommend its passage ;

Also, Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, and the several Acts amendatory thereof and supplemental thereto, report the same back, and recommend that the Senate do not concur in the Assembly amendment ;

Also, return several petitions and other papers referred to the committee in connection with matters already acted upon.

The committee have, during the session, had under consideration and disposed of bills and resolutions, as follows :

Senate bills, amended, and passage recommended	37	
Senate bills, without amendment, and passage recommended.....	15	
Senate bills, substitutes recommended.....	11	
Senate bills, without recommendation	10	
Senate bills, with recommendation not to pass.....	15	
Senate bills, with recommendation to indefinitely postpone	16	
Senate bills, with recommendation to refer to other committees.....	2	
Senate bills, with recommendation to refer to delegations..	3	
Senate bill, with recommendation to place on file.....	1	
Senate bills, with recommendation to concur in Assembly amendments.....	5	
Whole number of Senate bills.....		115
Assembly bills, amended and passage recommended.....	7	
Assembly bills, without amendment, and passage recommended.....	14	
Assembly bills, substitutes recommended	2	
Assembly bills, with recommendation to indefinitely postpone.....	2	
Assembly bills, without recommendation.....	9	
Assembly bill, with recommendation to refer to other committee.....	1	
Assembly bills, with recommendation to refer to delegations.....	4	
Whole number of Assembly bills.....		39
Total bills.....		154
Joint resolutions.....		2
Senate resolutions.		2

Having considered and reported upon all the business referred to the committee, and there being no further business likely to come before them, they ask to be discharged.

VAN DYKE, Chairman.

Mr. Powers, Chairman of the Committee on Contingent Expenses, made the following report:

Mr. PRESIDENT:—The Committee on Contingent Expenses have examined, and found correct, the following bills:

Sacramento Union	\$25 75
Daily Bee.....	4 35
Sunday Mercury.....	1 90
Placerville News.....	1 00
Conley & Patrick.....	5 62

Henry Smith.....	\$3 21
H. J. Bidleman.....	13 80
George I. Lytle.....	30 25
Sacramento Post Office.....	17 50
Maria Hasley, rent.....	16 45
J. M. Jordan, rent.....	5 85
H. H. Hartley, rent.....	8 20
A. C. Hinekron, rent.....	12 00
Robert Henderson, rent.....	6 65
L. A. Wood, sundries.....	16 00
C. Rave, sundries.....	1 25
George I. Lytle, for arrests.....	35 00
Total.....	\$204 78

The committee recommend the adoption of the following resolution :

Resolved, That the Controller of State be and he is hereby directed to draw his warrants in favor of the above parties for the several amounts, payable out of the Contingent Fund of the Senate.

POWERS, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—The Committee on Commerce and Navigation have had under consideration Assembly bill No. 199, an Act amendatory of and supplemental to an Act to establish Pilots and pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one, and beg leave to report the same back, without recommendation.

CLARK, Chairman.

Mr. Clark, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. PRESIDENT :—The Committee on Commerce and Navigation beg leave to report as follows : They have had under consideration Senate bill No. 72, and return the same, with a recommendation of indefinite postponement ;

Also, Senate bill No. 157, and return the same, with a recommendation of indefinite postponement ;

Also, Senate bill No. 29, and return the same, with a recommendation of indefinite postponement ;

Also, Senate bill No. 347, without recommendation.

CLARK, Chairman.

Mr. Harriman, Chairman of the Committee on Mines and Mining Interests, made the following report :

MR. PRESIDENT :—The Committee on Mines and Mining Interests, to whom was referred Assembly bill No. 438, an Act concerning corpora-

tions formed for canal and ditch purposes, having had the same under consideration, report it back without amendment, and recommend its passage.

HARRIMAN, Chairman.
OULTON,
McCULLOUGH,
SAXTON.

Mr. Higgins, from the Committee on Mines and Mining Interests, made the following report :

MR. PRESIDENT :—The minority of the Committee on Mines and Mining Interests, to whom was referred Assembly bill No. 438, an Act concerning corporations formed for canal and ditch purposes, have considered the same, and cannot approve its passage. The works and improvements of the companies spoken of cannot in any proper sense be considered public works, and are constructed only for private use, benefit, advantage, and profit, and by the bill itself, and by the law to which it is amendatory, such works are beyond the power and control of the Legislature and of all law, subject only to the control of its owner; and we believe it is improper, if not illegal, to take, upon any terms, the property of one individual in a compulsory manner and confer it upon another.

The power of condemning private property to public uses is the highest and most severe exercise of sovereignty, and should be conferred on corporations with strict and well defined limits, and in such manner that the citizen cannot be oppressed, and that his rights shall be guarded thoroughly and completely. This the bill and the Act which it amends fails to do, for nowhere in the bill or Act is there a reservation of any power or authority in the government to control or regulate these corporations.

The works of these corporations are mostly in the mining districts, and the property sought to be condemned, mostly mines. These mines are of small extent, rarely beyond one hundred or two hundred feet square, and it may be, of great value, or worth scarcely anything, it being impossible, except as work progresses, to fix any value; and the whole claim may be taken. It is this kind of property that will most frequently be condemned under this bill, and no set of Commissioners can tell whether or not a just compensation is awarded to the owner.

For the reasons stated, and others, the undersigned recommend that the bill be indefinitely postponed.

HIGGINS,
ANDERSON,
VINEYARD.

Mr. Nixon verbally reported Assembly bill No. 361, and recommended its indefinite postponement.

Also, verbally reported Assembly bill No. 284, without recommendation.

Mr. Holden verbally recommended the passage of Assembly bill No. 504, an Act concerning estrays in the County of Napa.

Mr. Baker made the following report :

MR. PRESIDENT :—The Special Committee to whom was referred Assembly bill No. 469, have had the same under consideration, and report

the same back to the Senate, with amendments, and recommend its passage as amended.

BAKER, for Committee.

Mr. Wallis made the following report :

MR. PRESIDENT:—The Santa Clara delegation, to whom was referred Assembly bill No. 376, an Act concerning estrays and animals found running at large in the County of Santa Clara, having considered the same, beg leave to report the same back, with amendments, and recommend its passage as amended.

WALLIS, for Delegation.

Mr. McCullough verbally reported Senate bill No. 121, an Act for the payment of indebtedness of Stanislaus County to Tuolumne County, without recommendation.

Mr. Perkins, Chairman of the Finance Committee, made the following report :

MR. PRESIDENT:—The Committee on Finance, to whom was referred Senate bill No. 323, have had the same under consideration, and report the same back, without recommendation ;

Said Committee also return all other papers referred to them now in their hands.

PERKINS, Chairman.

Mr. Parks, by leave, offered the following resolution :

Resolved. By the Senate, the Assembly concurring, that there is hereby authorized to be printed of the annual report of the State Agricultural Society, for the year eighteen hundred and sixty-two, three thousand copies.

Lost.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
Sacramento, April 24th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 159, an Act to fund the indebtedness of Calaveras County ;

Also, Senate bill No. 303, an Act to authorize the Board of Supervisors of Butte County to loan certain money ;

Also, Senate bill No. 177, an Act requiring the County Judge of Santa Clara County to keep Chambers at the county seat of his county ;

Also, Senate bill No. 201, an Act to authorize the construction and maintenance of a wharf in the County of Contra Costa ;

Also, Senate bill No. 289, an Act to authorize the Board of Supervisors of the County of Alameda to take and subscribe two hundred and twenty thousand dollars to the capital stock of the Alameda Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto ;

Also, Senate bill No. 253, an Act to authorize Edward Gallagher, James

Gallagher, E. A. Poole, and their associates and assigns, to lay down water pipes in the town of Aurora, County of Mono;

Also, Senate bill No. 338, an Act to authorize the issue of duplicates of certain School Land Warrants to Charles B. Grant;

Also, Senate bill No. 174, an Act appropriating money to pay the claim of Richard M. Jessup;

Also, Senate bill No. 22, an Act concerning offices;

Also, Senate bill No. 351, an Act relative to the election of District Tax Collectors and Assessors in the County of Placer.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
April 24th, 1863. }

Mr. PRESIDENT:—The Assembly concurred in Senate amendments to Assembly bill No. 250, an Act amendatory of an Act providing for an Attorney and Counsellor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two;

Also, concurred in Senate amendments to Assembly bill No. 175, an Act supplementary to an Act entitled an Act for the payment of expenses incurred in the suppression of Indian hostilities in the County of Humboldt, in this State, approved March thirteenth, eighteen hundred and sixty-two;

Also, concurred in Senate amendments to Assembly bill No. 257, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, concurred in Senate amendments to Assembly bill No. 420, an Act to appropriate money to pay a claim arising under a commission, authorized by the Assembly at the thirteenth session of the Legislature, to take testimony in the contested election of Gordon vs. McAllister;

Also, adopted the report of the Committee of Free Conference on Assembly bill No. 91, an Act amendatory of an Act concerning crimes and punishments;

Also, passed Senate bill No. 185, an Act to provide for the punishment of persons cutting timber on Swamp and Overflowed Lands, etc.;

Also, passed Senate bill No. 266, an Act in relation to the construction of canals, and for draining and reclaiming certain Swamp and Overflowed Lands in Tulare Valley;

Also, passed Senate bill No. 281, an Act to amend an Act for the relief of insolvent debtors, and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and the Act amendatory thereto, approved April twenty-seventh, eighteen hundred and sixty;

Also, passed Senate bill No. 365, an Act to appropriate money to pay the contingent expenses of the Legislature for the fourteenth session;

Also, adopted Senate concurrent resolution No. 28, relative to Public Lands;

Also, passed Senate bill No. 196, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER.

April 24th, 1863. }

MR. PRESIDENT :—The Assembly adopted the report of the Committee of Free Conference on Assembly bill No. 70, an Act to amend an Act entitled an Act relating to the levying of taxes, and have thereby concurred in the Senate amendments to said bill ;

Also, passed Assembly bill No. 498, an Act amendatory of and supplementary to an Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and sixty-three ;

Also, passed Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges ;

Also, amended and passed Senate bill No. 337, an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one ;

Also, passed Senate substitute for Assembly bill No. 501, an Act to amend an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County, approved March thirty-first, eighteen hundred and sixty-three ;

Also, passed Senate bill No. 278, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto ;

Also, passed Senate bill No. 364, an Act to organize the Fire Department of the Town of Santa Rosa ;

Also, passed Assembly bill No. 365, an Act concerning unlawful holding over of lands, tenements, and other possessions ;

Also, passed Assembly bill No. 95, an Act authorizing James Culbertson, and his associates, or their assigns, to construct and maintain a wagon road and bridge in the Counties of Nevada and Placer ;

Also, passed Assembly bill No. 487, an Act to authorize James R. Dickey, H. W. Whitcomb, and Charles R. Peters, their associates or assigns, to construct and keep in repair certain roads in the County of San Mateo, and to levy and collect tolls thereon ;

Also, passed Assembly bill No. 384, an Act supplementary to an Act entitled an Act to provide for the government of the Common Schools in the City of Sacramento, approved April twenty-sixth, eighteen hundred and sixty-two ;

Also, passed Assembly bill No. 377, an Act for the relief and support of indigent persons, and for the erection of County Poor Houses in the several counties of this State ;

Also, passed Senate bill No. 224, an Act concerning grand and trial jurors ;

Also, adopted the report of the Committee of Free Conference on Assembly bill No. 445, making appropriations for deficiencies in the appropriations made for the fourteenth fiscal year, ending on the thirtieth of June, eighteen hundred and sixty-three.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,

April 24th, 1863. }

MR. PRESIDENT :—The Assembly concurred in Senate concurrent resolution No. 30, relative to a Joint Convention of the Senate and Assembly, for the purpose of electing a State Harbor Commissioner ;

Also, passed Senate bill No. 355, an Act to confer further powers and duties upon certain officers ;

Also, passed Assembly bill No. 416, an Act amendatory of an Act to provide for a railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one ;

Also, this day, amended and passed Senate bill No. 237, an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 24th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, indefinitely postponed Senate bill No. 258, an Act concerning the publication of advertisements in the Counties of Shasta and Tehama ;

Also, passed Senate bill No. 361, an Act extending the time for J. R. Vineyard, and his associates and assigns, to construct a toll bridge across the Yuba River, in Yuba County ;

Also, passed Assembly bill No. 130, an Act supplementary to and explanatory of an Act entitled an Act to establish the lines and grades of streets in the City and County of San Francisco, approved April thirtieth, eighteen hundred and sixty-two ;

Also, passed Assembly bill No. 223, an Act to provide for a railroad through certain streets in the City and County of San Francisco.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 24th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, passed Assembly bill No. 499, an Act concerning Teachers of Common Schools in this State ;

Also, passed Assembly bill No. 440, an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, passed Assembly bill No. 475, an Act to repeal an Act entitled an Act to provide revenue for the support of the government of this State, approved May ninth, eighteen hundred and sixty-one ;

Also, passed Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof ;

Also, concurred in Senate amendments to Assembly bill No. 257, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER,
April 24th, 1863. }

Mr. PRESIDENT :—The Assembly, this day, adopted Assembly concurrent resolution No. 50, relative to the late Major-General Edward V. Sumner, United States Army, and respectfully ask your concurrence ;

Also, this day, passed Senate bill No. 358, an Act granting the right of way and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory.

H. G. WORTHINGTON,
Chief Clerk.

ASSEMBLY CHAMBER,
April 25th, 1863. }

MR. PRESIDENT:—The Assembly, this day, amended and passed Senate bill No. 215, an Act to provide for the collection of taxes due this State on consigned goods;

Also, this day, adopted Assembly concurrent resolution No. 51, relative to transferring certain funds;

Also, passed Assembly bill No. 480, an Act to repeal an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April twenty-sixth, eighteen hundred and sixty-two;

Also, this day, passed Assembly bill No. 525, an Act to grant the right of way for a line of telegraph from San Francisco to Crescent City.

W. N. SLOCUM,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 498, above reported, read first and second times, and ordered on file.

Assembly bill No. 440, above reported, read first and second times, and ordered on file.

Assembly bill No. 332, above reported, read first and second times, and ordered on file.

Assembly bill No. 499, above reported, read first and second times, and ordered on file.

Assembly bill No. 475, above reported, read first and second times, and ordered on file.

Assembly bill No. 384, above reported, read first and second times, and ordered on file.

Assembly bill No. 130, above reported, read first and second times, and ordered on file.

Assembly bill No. 365, above reported, read first and second times, and ordered on file.

Assembly bill No. 95, above reported, read first and second times, and ordered on file.

Assembly bill No. 366, above reported, read first and second times, and ordered on file.

Assembly bill No. 377, above reported, read first and second times, and ordered on file.

Assembly bill No. 487, above reported, read first and second times, and ordered on file.

Assembly bill No. 525, above reported, read first and second times, and ordered on file.

Assembly bill No. 223, above reported, read first and second times, and ordered on file.

Assembly bill No. 480, above reported, read first and second times, and ordered on file.

Senate concurred in Assembly concurrent resolution No. 50, above reported.

Senate concurred in Assembly concurrent resolution No. 51, above reported.

Senate concurred in Assembly concurrent resolution No. 47, above reported.

Senate concurred in Assembly amendments to Senate bill No. 237, above reported.

Senate concurred in Assembly amendments to Senate bill No. 337, above reported.

Senate concurred in Assembly amendments to Senate bill No. 185, above reported.

Senate refused to concur in Assembly amendments to Senate bill No. 215, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harriman, for an Act to authorize the Sacramento, Placer, and Nevada Railroad Company to sell and convey their road, and other matters relating thereto.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Abell, for an Act to authorize the consolidation of the Islas and Salinas Water Company and the Crystal Springs Water Company with the Spring Valley Water Works Company in San Francisco.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

RESOLUTIONS.

Mr. Baker offered the following resolution:

Resolved, That the Porters, Watchman, Fireman, and Pages, of the Senate, each be allowed one dollar a day extra pay, to date from their appointment, payable out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrants for the same.

Lost.

Mr. Powers offered the following resolution:

WHEREAS, For once in the history of California legislation, all the copying ordered by the Senate has been actually performed by the Copying Clerks, and no claim for extra copying exists; therefore,

Resolved, That the thanks of this Senate are due and are hereby tendered to John White, Secretary of the Senate, and to L. M. Foulke and Holland Smith, Copying Clerks, for the faithful and efficient manner in which they have performed the duties assigned them.

Adopted.

GENERAL FILE.

Assembly bill No. 157, an Act to provide for the inspection of gas meters, etc.—amended, read third time, and passed;

Assembly bill No. 378, an Act concerning hogs found running at large in Contra Costa County—amended, read third time, and passed.

Assembly bill No. 345, an Act to amend an Act to provide for the appointment of a Reporter of the Supreme Court—*indefinitely postponed*.

Assembly bill No. 430, an Act supplementary to an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty—*indefinitely postponed*.

Assembly bill No. 209, an Act amendatory of an Act in relation to personal mortgages, etc.—*indefinitely postponed*.

Assembly bill No. 467, an Act to enable certain minors to convey real estate—*read third time*.

On its passage, the ayes and noes were demanded, and taken, with the following result:

AYES—Messrs. Baker, Harriman, Harvey, Higby, and Shannon—5.

NOES—Messrs. Abell, Anderson, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Hathaway, Holden, Kutz, McNabb, Nixon, Oulton, Perkins, Porter of Santa Cruz, Powers, Saxton, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—22.

Assembly bill No. 274, an Act to authorize Nathan C. Stinson, his associates, and his and their assigns, to build a wharf at the foot of Solano street, in the City and County of San Francisco—*amended*.

On striking out the enacting clause, the ayes and noes were demanded, and taken, with the following result:

AYES—Messrs. Abell, Anderson, Booth, Chamberlain, Clark, Cunningham, Gaskill, Harriman, McCullough, Parks, Shurtleff, and Whiting—12.

NOES—Messrs. Baker, Birdseye, Cavis, Crane, Doll, Harvey, Hathaway, Higby, Holden, Kutz, McNabb, Nixon, Perkins, Porter of Santa Cruz, Powers, Saxton, Shannon, Vineyard, and Wallis—19.

The bill was then read third time, and passed.

Assembly bill No. 346, an Act for the repeal of sections two and three of an Act for the protection and government of Indians, passed May twenty-second, eighteen hundred and fifty—*read third time, and passed, and title amended*.

Mr. Holden gave notice of a motion to reconsider.

Assembly bill No. 362, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State—*amended, read third time, and passed*.

Assembly bill No. 467—vote on passage reconsidered, amended, read third time, and passed.

Assembly bill No. 524, an Act to amend an Act concerning roads and highways in the County of Mendocino, approved May seventeenth, eighteen hundred and sixty-one—*read third time*.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Holden, Chamberlain, and Gaskill, and taken, with the following result:

AYES—Messrs. Anderson, Booth, Cavis, Chamberlain, Clark, Cunningham, Gaskill, Harvey, Hathaway, Higby, Higgins, Kutz, McNabb, Nixon, and Powers—15.

NOES—Messrs. Baker, Holden, Shurtleff, and Vineyard—4.

Senate bill No. 332, an Act to provide for submission to the people of certain Amendments to the Constitution—*indefinitely postponed*.

The Senate refused to concur in Assembly amendments to Senate bill No. 280, an Act to amend the Civil Practice Act.

Messrs. Birdseye and Porter of Santa Cruz had leave to withdraw certain papers from the Secretary's desk.

Assembly bill No. 223, an Act to provide for a railroad through certain streets therein named, in the City and County of San Francisco—read third time.

On its passage, the ayes and noes were demanded, by Messrs. Chamberlain, Powers, and Perkins, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Doll, Harvey, Hathaway, Higgins, Holden, Parks, Perkins, Saxton, Shannon, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—16.

NOES—Messrs. Chamberlain, Clark, Cunningham, and Kutz—4.

Assembly bill No. 484, an Act to authorize the collection of toll on the Hughes Trail, in Los Angeles County—read third time, and passed.

Assembly bill No. 525, an Act to grant the right of way for a line of telegraph from San Francisco to Crescent City—read third time, and passed.

Assembly bill No. 440, an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 384, an Act supplemental to an Act to provide for the government of the Common Schools of Sacramento—read third time, and passed.

Assembly bill No. 311, an Act to amend an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three—read third time, and passed.

Assembly bill No. 504, an Act concerning estrays in the County of Napa—read third time, and passed.

Assembly bill No. 376, an Act concerning estrays and animals found running at large in Santa Clara County—amended, read third time, and passed.

Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State—Assembly amendments concurred in.

Assembly bill No. 284, an Act to provide for a special election in the County of Sacramento—indefinitely postponed.

Assembly bill No. 499, an Act concerning Common Schools in this State—read third time.

On its passage, the ayes and noes were demanded, by Messrs. Holden, Cunningham, and Kutz, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Hathaway, Higby, Higgins, Kutz, McCullough, McNabb, Nixon, Oulton, Parks, Powers, Saxton, Shannon, Wallis, and Whiting—23.

NOES—Messrs. Baker, Booth, Doll, Harvey, Holden, Porter of Contra Costa, Porter of Santa Cruz, Van Dyke, and Vineyard—9.

Assembly bill No. 498, an Act amendatory of and supplementary to an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three.

On the indefinite postponement of the bill, the ayes and noes were

demand, by Messrs. Clark, McNabb, and Shannon, and taken, with the following result :

AYES—Messrs. Abell, Booth, Cavis, Chamberlain, Clark, Doll, Gaskill, Harvey, Holden, Kutz, McCullough, Nixon, Oulton, Perkins, Porter of Santa Cruz, Saxton, Shurtleff, and Wallis—18.

NOES—Messrs. Anderson, Crane, Cunningham, Harriman, Hathaway, Higby, McNabb, Parks, Powers, Shannon, Van Dyke, and Whiting—12.

Assembly bill No. 480, an Act to repeal an Act to regulate marriages—**indefinitely postponed.**

Assembly bill No. 377, an Act for the support of indigent persons, and for the erection of County Poor Houses in the several counties of this State—**indefinitely postponed.**

Assembly bill No. 365, an Act concerning unlawful holding over of lands, tenements, and other possessions—read third time, and passed.

Mr. Crane made the following report :

Mr. PRESIDENT:—The undersigned, to whom was referred Assembly bill No. 398, an Act to provide for the election of Township Assessors in the County of Alameda, having had the same under consideration, herewith reports it back, and recommends its indefinite postponement.

CRANE.

Assembly bill No. 398, above reported, **indefinitely postponed.**

Assembly bill No. 469, an Act to grant the right to construct a wooden or iron railroad from the Slate Range Mountains, in the County of San Bernardino, to Kern River, in the County of Tulare—**amended.**

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Baker, Powers, and Shannon, and taken, with the following result :

AYES—Messrs. Anderson, Higby, Higgins, Lewis, Porter of Contra Costa, Porter of Santa Cruz, Powers, and Wallis—8.

NOES—Messrs. Baker, Booth, Chamberlain, Clark, Crane, Cunningham, Harvey, Hathaway, Holden, McNabb, Nixon, Oulton, Parks, Saxton, Shannon, Shurtleff, Vineyard, and Whiting—18.

So the motion to postpone was lost.

The bill was read third time, and passed.

Assembly bill No. 475, an Act to repeal section eleven of an Act entitled an Act to provide revenue for the support of the government of this State, approved May ninth, eighteen hundred and sixty-two—read third time, and passed.

Assembly bill No. 438, an Act concerning corporations formed for canal and ditch purposes—**laid on the table.**

Assembly bill No. 487, an Act to authorize James R. Dickey, H. W. Whitcomb, and Charles R. Peters, their associates or assigns, to construct and keep in repair certain roads in the County of San Mateo, and to levy and collect tolls thereon—**amended, read third time, and passed.**

On the motion of Mr. Porter of Santa Cruz to adjourn, the ayes and noes were demanded, by Messrs. McNabb, Perkins, and Chamberlain, and taken, with the following result :

AYES—Messrs. Chamberlain, McNabb, Perkins, Porter of Santa Cruz, and Shurtleff—5.

NOES—Messrs. Abell, Anderson, Baker, Booth, Clark, Crane, Cunningham, Gaskill, Harvey, Hathaway, Higgins, Kutz, McCullough, Oulton, Parks, Porter of Contra Costa, Shannon, Van Dyke, Vineyard, Wallis, and Whiting—21.

On the motion to take up and consider Assembly bill No. 190, Mr. Clark asked leave to make a statement in regard to the bill.

Objection made.

On the motion to suspend the rules, and allow the statement to be made, the ayes and noes were demanded, by Messrs. Abell, Anderson, and McNabb, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Clark, Crane, Cunningham, Harriman, Harvey, Hathaway, Higby, Higgins, Kutz, McCullough, Oulton, Parks, Porter of Contra Costa, Saxton, Shannon, Vineyard, Wallis, and Whiting—23.

NOES—Messrs. Chamberlain, Gaskill, Holden, McNabb, Perkins, Porter of Santa Cruz, and Powers—7.

The statement was therefore made.

On the motion to take the bill up, the ayes and noes were demanded, by Messrs. Clark, Perkins, and Porter of Santa Cruz, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Hathaway, Higgins, McCullough, Parks, Porter of Contra Costa, Saxton, Shannon, Vineyard, and Whiting—20.

NOES—Messrs. Chamberlain, Higby, Holden, Kutz, McNabb, Oulton, Perkins, Porter of Santa Cruz, Powers, Shurtleff, Van Dyke, and Wallis—12.

So the motion to take up was lost.

Assembly bill No. 332, an Act concerning gaming in the City and County of San Francisco—indefinitely postponed.

Assembly bill No. 366, an Act to authorize the Board of Supervisors of the City and County of San Francisco to grant the right to lay down gas pipes in the streets of said city and county, subject to certain restrictions and requirements—amended, read third time, and passed.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT :—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 14, relative to Indian affairs ;

Also, Senate concurrent resolution No. 26, authorizing Secretary of State to procure additional copies of Statutes of eighteen hundred and sixty-three ;

Also, Senate bill No. 15, an Act concerning forcible entries and detainers, and to repeal all other Acts on the same subject ;

Also, Senate bill No. 35, an Act to legalize certain acknowledgments;
 Also, Senate bill No. 176, an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arenas, in Mendocino County;
 Also, Senate bill No. 207, an Act appropriating money to pay the claim of the San Francisco Gas Company;

Also, Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Senate bill No. 228, an Act for the better protection of private property in certain counties of this State;

Also, Senate bill No. 240, an Act to authorize the Board of Supervisors of the County of Calaveras to take and subscribe twenty-five thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same;

Also, Senate bill No. 257, an Act to provide bonds for completing the Deaf, Dumb, and Blind Asylum;

Also, Senate bill No. 259, an Act to define and establish the eastern boundary of the State of California;

Also, Senate bill No. 266, an Act in relation to the construction of canals, and for draining and reclaiming certain Swamp and Overflowed Lands in Tulare Valley;

Also, Senate bill No. 285, an Act to enable Jesus Maria and Mariano Soto to sell and convey or make partition of their estate, and removing their disability from nonage;

Also, Senate bill No. 294, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco;

Also, Senate bill No. 358, an Act granting the right of way and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory;

Also, Senate bill No. 363, an Act making county warrants drawn on the General Fund of Tulare County receivable in payment for county taxes;

Also, Senate bill No. 306, an Act providing for the government of the County of Sacramento;

And this day, April twenty-fifth, eighteen hundred and sixty-three, at eleven o'clock and forty-five minutes, A. M., delivered the same to the Governor for his approval;

And, at the same time, Senate bill No. 262, an Act to incorporate the City of Sacramento, was returned to the Governor corrected;

Also, Senate bill No. 90, an Act to provide for the improvement and protection of the wharves, docks, and water front, in the City and County of San Francisco;

And, on the twenty-fourth day of April, eighteen hundred and sixty-three, at twelve o'clock, M., presented the same to the Governor for his approval.

HIGGINS, Chairman.

GENERAL FILE RESUMED.

Assembly bill No. 347, an Act concerning mining associations and companies.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. McNabb, Chamberlain, and Powers, and taken, with the following result:

AYES—Messrs. Anderson, Cavis, Clark, Crane, Gaskill, Harriman, Higby, Higgins, McCullough, Parks, Saxton, Shannon, Van Dyke, Vineyard, and Wallis—15.

NOES—Messrs. Abell, Baker, Booth, Chamberlain, Cunningham, Harvey, Hathaway, Holden, McNabb, Nixon, Oulton, Perkins, Porter of Santa Cruz, Powers, Shurtleff, and Whiting—16.

Mr. Porter of Santa Cruz moved to lay the bill upon the table.

Upon which, the ayes and noes were demanded, by Messrs. McNabb, Perkins, and Shurtleff, and taken, with the following result :

AYES—Messrs. Anderson, Cavis, Clark, Crane, Gaskill, Harriman, Higby, Higgins, McCullough, Parks, Porter of Contra Costa, Saxton, Shannon, Vineyard, and Wallis—15.

NOES—Messrs. Abell, Baker, Booth, Chamberlain, Cunningham, Hathaway, Holden, McNabb, Nixon, Oulton, Perkins, Porter of Santa Cruz, Powers, Shurtleff, and Whiting—15.

Mr. Gaskill moved to strike out the enacting clause.

Upon which, the ayes and noes were demanded, by Messrs. McNabb, Shannon, and Crane, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Cavis, Clark, Crane, Gaskill, Harriman, Hathaway, Higby, Higgins, McCullough, Parks, Saxton, Shannon, Vineyard, and Wallis—16.

NOES—Messrs. Baker, Booth, Chamberlain, Harvey, Holden, McNabb, Oulton, Perkins, Porter of Santa Cruz, Powers, Shurtleff, and Whiting—12.

Mr. Holden made the following report :

Mr. PRESIDENT :—The delegation from Mendocino, to whom was referred Senate bill No. 188, an Act to confer further powers upon the Board of Supervisors of Mendocino County, submit the following report :

The bill, as passed by the Senate, authorizes the Board of Supervisors of said county to purchase a certain toll road in said county.

The Assembly amendment proposes to curtail or restrict the Board of Supervisors in their powers to levy a road poll tax of four days labor upon each able bodied man in said county, so that they cannot levy a road poll tax exceeding two days labor.

The two objects sought to be accomplished by the bill, as amended, are incongruous, and in plain violation of the Constitution, which requires the object of the bill to be stated in the title.

HOLDEN, for Delegation.

Mr. Abell moved that when the Senate adjourns it adjourn to meet at seven o'clock and thirty minutes this evening.

Upon which, the ayes and noes were demanded, by Messrs. McNabb, Chamberlain, and Powers, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Booth, Cavis, Clark, Crane, Gaskill, Harriman, Harvey, Hathaway, Higby, Higgins, McCullough, Oulton, Parks, Porter of Contra Costa, Saxton, Shannon, Vineyard, Wallis, and Whiting—22.

NOES—Messrs. Chamberlain, Holden, McNabb, Perkins, Porter of Santa Cruz, Powers, and Shurtleff—7.

At five o'clock and thirty minutes, P. M., on motion of Mr. Harvey, the Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 25th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 322, an Act to make certain offices in the County of Calaveras salaried offices ;

Also, Senate bill No. 266, an Act in relation to the construction of canals, and reclaiming certain Swamp and Overflowed Lands in Tulare Valley ;

Also, Senate bill No. 262, an Act to incorporate the City of Sacramento ;

Also, Senate bill No. 274, an Act to provide for uniting the offices of County Clerk and County Auditor in the County of Calaveras ;

Also, Senate bill No. 334, an Act fixing the time for holding the terms of the District Court in Lake County ;

Also, Senate bill No. 118, an Act to grant to John McNealy and his associates the right to construct and maintain a toll bridge across the Mokelumne River, in the Counties of Calaveras and Amador ;

Also, Senate bill No. 318, an Act to authorize the San Francisco and Alameda Railroad Company to construct and maintain a wharf at the western end of the Encinal of San Antonio, in Alameda County ;

Also, Senate bill No. 275, an Act to amend an Act entitled an Act concerning Judges of the Plains, (Jueces del Campo,) and defining their duties, passed April twenty-fifth, eighteen hundred and fifty-one ;

Also, Senate bill No. 79, an Act to amend an Act entitled an Act to organize townships and regulate their powers and duties, and submit the same to a vote of the people, approved May fifteenth, eighteen hundred and sixty-two ;

Also, Senate bill No. 243, an Act to authorize William Kohl and his associates to establish and maintain a steam ferry ;

Also, Senate bill No. 146, an Act concerning the Insane Asylum of California, and to levy a tax therefor ;

Also, Senate bill No. 32, an Act to divide the State into Judicial Districts ;

Also, Senate bill No. 42, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof ;

Also, Senate bill No. 139, an Act to provide for the pauper sick of Tehama County ;

Also, Senate bill No. 317, an Act supplementary to and to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-

four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, Senate bill No. 339, an Act to authorize the Board of Supervisors of Plumas County to levy a special tax for purposes therein named;

Also, Senate bill No. 80, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 263, an Act to legalize a survey of Green's Addition to the Town of Santa Rosa, in Sonoma County;

Also, Senate bill No. 346, an Act to confer further powers upon the Board of Supervisors of Lake County;

Also, Senate bill No. 34, an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by Act passed March twenty-fifth, eighteen hundred and sixty-two;

Also, Senate bill No. 267, an Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a turnpike road from Cloverdale to Sanel, and to charge and collect toll for travel thereon, approved April third, A. D. eighteen hundred and sixty-two;

Also, Senate bill No. 271, an Act to authorize the Administrator of the estate of Fanny E. Gillespie, deceased, to sell and convey real estate.

LELAND STANFORD, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
April 25th, 1863. }

MR. PRESIDENT:—The Assembly, this day, passed Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State;

Also, passed Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, passed Assembly bill No. 373, an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, passed Assembly bill No. 238, an Act to amend an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

W. N. SLOCUM,
Assistant Clerk.

ASSEMBLY CHAMBER, }
April 25th, 1863. }

MR. PRESIDENT:—The Assembly passed Senate bill No. 366, an Act to authorize the consolidation and fusion of certain joint stock associations therein named;

Also, Senate bill No. 354, an Act to authorize the Board of Swamp Land Commissioners to allow the claim of George R. More;

Also, Senate bill No. 343, an Act to punish offences against the peace of the State;

Also, Senate bill No. 344, an Act to pay certain claims;

Also, Senate bill No. 357, an Act to authorize the Sacramento, Placer, and Nevada Railroad Company to sell their road;

Also, Senate bill No. 359, an Act to amend an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty;

Also, laid on the table Senate bill No. 64, an Act regulating title or possession of real estate;

Also, laid on the table Senate bill No. 212, proposed Amendments to the Constitution of the State of California.

W. N. SLOCUM,

Assistant Clerk.

ASSEMBLY CHAMBER,

April 25th, 1863. }

Mr. PRESIDENT:—The Assembly, this day, passed Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty;

Also, passed Senate bill No. 319, an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities;

Also, passed Senate bill No. 359, an Act to appropriate money to pay certain claims.

W. N. SLOCUM,

Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly bill No. 231, above reported, read first and second times, and ordered on file.

Assembly bill No. 373, above reported, read first and second times, and ordered on file.

RESOLUTIONS.

Mr. Wallis offered the following resolution:

Resolved, That the Minute Clerk and Assistant Clerk at the desk of the Senate be allowed the same amount for filing away and arranging the papers of the Senate as allowed by law to the Secretary, and the Controller of State is hereby authorized to draw his warrants as above, on the Contingent Fund of the Senate.

Adopted.

Mr. Wallis also offered the following resolution:

Resolved, That the Journal Clerk be and he is hereby allowed two days' pay after the final adjournment of this Legislature, for the purpose of writing up the journal of the Senate, and after the same is written up, it shall be by him delivered to the Secretary of the Senate, and the President or President pro tem of the Senate shall approve the same.

Adopted.

GENERAL FILE.

Assembly bill No. 95, an Act authorizing James Culbertson, and his associates, or their assigns, to construct and maintain a wagon road in the Counties of Nevada and Placer—indefinitely postponed.

Assembly bill No. 361, an Act to authorize the Board of Supervisors in and for the County of Sacramento to levy a special tax for the erection of a public building in the Town of Folsom, in said county—*indefinitely postponed*.

Senate bill No. 157, an Act to authorize Joseph Galloway and his associates to construct and maintain a wharf in the City and County of San Francisco—*indefinitely postponed*.

Senate bill No. 72, an Act to authorize Robert J. Vandewater to construct a dry dock—*indefinitely postponed*.

Senate bill No. 211, an Act to establish the Board of Nautical Education for the port of San Francisco—*indefinitely postponed*.

Senate bill No. 347, an Act to authorize A. W. McPherson, and his associates and assigns, to construct a wharf in San Francisco—*indefinitely postponed*.

Senate bill No. 323, an Act to amend an Act to provide for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—*indefinitely postponed*.

Assembly bill No. 130, an Act supplementary to and explanatory of an Act entitled an Act to establish the lines and grades of streets in the City and County of San Francisco, approved April thirtieth, eighteen hundred and sixty-two—*read third time, and passed*.

Assembly bill No. 331, an Act to appropriate money to pay the claim of A. E. Sherwood—*read third time, and passed*.

Assembly bill No. 190, an Act amendatory of and supplemental to an Act to establish Pilots and pilot regulations for the port of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Mr. Powers moved to indefinitely postpone the bill.

Upon which, the ayes and noes were demanded, by Messrs. Powers, Parks, and McNabb, and taken, with the following result :

AYES—Messrs. Chamberlain, Gaskill, Holden, McNabb, Oulton, Perkins, and Powers—7.

NOES—Messrs. Baker, Clark, Cunningham, Harriman, Hathaway, Kutz, McCullough, Nixon, Parks, Porter of Contra Costa, Saxton, Wallis, and Whiting—13.

Mr. Abell paired with Mr. Lewis.

Mr. Anderson paired with Mr. Shurtleff.

Mr. Booth paired with Mr. Bogart.

On concurring in the amendment made in Committee of the Whole, to strike out section five, the ayes and noes were demanded, by Messrs. Clark, Nixon, and Abell, and taken, with the following result :

AYES—Messrs. Cavis, Chamberlain, Cunningham, Gaskill, Holden, McNabb, Perkins, Porter of Santa Cruz, Powers, Van Dyke, and Wallis—11.

NOES—Messrs. Anderson, Baker, Clark, Harriman, Hathaway, McCullough, Nixon, Parks, Saxton, and Whiting—10.

So the bill was amended, *read third time, and passed*.

Senate concurrent resolution No. 27, concerning Directors of State Prison—*adopted*.

On motion of Mr. Powers, Assembly bill No. 164, an Act concerning estrays, was taken up, *read third time, and passed*, and the title amended.

Senate bill No. 121, an Act to provide for the payment of the ind

edness of Stanislaus County to Tuolumne County—indefinitely postponed.

Assembly bill No. 238, an Act to amend an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

On the motion of Mr. Van Dyke to lay the bill on the table, the ayes and noes were demanded, by Messrs. Abell, Cunningham, and McCullough, and taken, with the following result :

AYES—Messrs. Anderson, Baker, McNabb, Shurtleff, Van Dyke, and Vineyard—6.

NOES—Messrs. Abell, Cavis, Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Nixon, Porter of Contra Costa, Porter of Santa Cruz, and Saxton—13.

On the motion of Mr. McNabb to strike out the enacting clause, the ayes and noes were demanded, by Messrs. Clark, Gaskill, and Nixon, and taken, with the following result :

AYES—Messrs. Anderson, Baker, McNabb, Perkins, Porter of Santa Cruz, Shurtleff, and Vineyard—7.

NOES—Messrs. Chamberlain, Clark, Crane, Cunningham, Gaskill, Harriman, Harvey, Higgins, Nixon, Saxton, and Wallis—11.

So the motion was lost, and the bill read third time, and passed.

On the motion of Mr. Van Dyke, Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, and the several Acts amendatory thereof and supplemental thereto, was taken from Assembly messages, and the Assembly amendments concurred in.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 25th, 1863. }

To the Honorable the Senate of California :

I have to inform your honorable body that I have approved Senate bill No. 229, an Act to authorize the issuance of a duplicate School Land Warrant to Henry W. Peck ;

Also, Senate bill No. 305, an Act relative to the terms of the District Courts in the Eleventh Judicial District of this State ;

Also, Senate bill No. 353, an Act to authorize the Board of Supervisors of El Dorado County to lease the branch wagon road in said county for a term of years ;

Also, Senate bill No. 171, an Act to appropriate money to pay certain claims against the State for services and sundries furnished the State Reform School ;

Also, Senate bill No. 225, an Act for the relief of Dr. S. M. Mouser ;

Also, Senate bill No. 184, an Act to authorize John F. Hill, William Bryan, and James C. Treadwell, their associates and assigns, to construct and maintain a certain macadamized road in the City and County of San Francisco, and to levy and collect tolls thereon ;

Also, Senate bill No. 230, an Act to extend the provisions of an Act

concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six, and the amendments thereto, approved April eighteenth, eighteen hundred and fifty-nine;

Also, Senate bill No. 227, an Act to provide for the better maintenance of the indigent sick of Sonoma County;

Also, Senate bill No. 161, an Act to amend an Act entitled an Act fixing the salaries of State officers and Clerks, passed May sixth, eighteen hundred and sixty-one;

Also, Senate bill No. 95, an Act to grant the right to construct a turnpike between Chinese Camp, in the County of Tuolumne, and the Town of Aurora, in the County of Mono;

Also, Senate bill No. 241, an Act appropriating money to pay the claim of H. C. Stockton;

Also, Senate bill No. 204, an Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to reconstruct and make a wagon road in the Counties of Contra Costa and Alameda, approved April fourteenth, eighteen hundred and sixty-two;

Also, Senate bill No. 247, an Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and the amendments to the same, approved April eleventh, eighteen hundred and fifty-nine;

Also, Senate bill No. 114, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Senate bill No. 306, an Act providing for the government of the County of Sacramento.

LELAND STANFORD, Governor.

Assembly bill No. 381, an Act fixing the mileage of the several County Treasurers of this State, was, on motion of Mr. Gaskill, taken from the table, read third time, and passed.

On motion of Mr. Harvey, Assembly bill No. 438, an Act concerning corporations formed for canal and ditch purposes, was taken from the table, amended, and on motion to read the bill the third time, it was lost.

On motion of Mr. Chamberlain, at ten o'clock, p. m., the Senate adjourned.

J. F. CHELLIS,

President of the Senate.

Attest: JOHN WHITE, Secretary of Senate.

IN SENATE,

SENATE CHAMBER,

Monday, April 27th, 1863. }

Senate met pursuant to adjournment.

President in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Peck.

Journal of Saturday last read and approved.

Mr. McNabb asked leave to offer a resolution.

On which leave, the ayes and noes were demanded, by Messrs. Powers, Chamberlain, and Cavis, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Bogart, Booth, Cunningham, Doll, Gaskill, Harvey, Higgins, Holden, McNabb, Parks, Perkins, Saxton, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—19.

NOES—Messrs. Cavis, Chamberlain, Clark, Crane, Higby, Kutz, Porter of Contra Costa, Porter of Santa Cruz, and Powers—9.

So leave was granted, and Mr. McNabb offered the following resolution :

Resolved, That J. W. Scott, B. Finnerty, William McCoy, and Daniel O'Conner, Porters of the Senate ; William Farrell, Watchman ; Thomas Matthewson, Fireman ; Grove Hunt, and James Crandall, Pages ; and Bernard Steinman, Paper-Folder, be allowed one dollar per diem each, as extra pay ; said additional compensation to commence from the date of their several appointments ; and that the Controller of State be authorized and directed to draw his warrants upon the Treasurer therefor.

Laid on the table.

REPORT.

Mr. Higgins, Chairman of the Committee on Enrolment, made the following report :

MR. PRESIDENT:—The Committee on Enrolment have examined, and found correctly enrolled, Senate concurrent resolution No. 30, relative to a Joint Convention of the Senate and Assembly for the purpose of electing a State Harbor Commissioner ;

Also, Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof ;

Also, Senate bill No. 185, an Act to provide for the punishment of persons cutting timber upon, or carrying the same away when cut down, from any of the Swamp and Overflowed, Tide, or Marsh, or School Lands belonging to this State ;

Also, Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty ;

Also, Senate bill No. 196, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and sixty-three, and Acts amendatory thereof ;

Also, Senate bill No. 199, an Act to provide for salaries of the Judiciary ;

Also, Senate bill No. 200, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty, and the Act of May twenty-first, eighteen hundred and sixty-one, amendatory thereof ;

Also, Senate bill No. 224, an Act concerning grand and trial jurors ;

Also, Senate bill No. 281, an Act to amend an Act entitled an Act for the relief of insolvent debtors, and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and the Act amendatory thereof, approved April twenty-seventh, eighteen hundred and sixty;

Also, Senate bill No. 282, an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regarding the same, and to confer further powers upon the Auditor and Treasurer of said city and county;

Also, Senate bill No. 296, an Act to prevent fraudulent conveyance or encumbrance of real estate by married women;

Also, Senate bill No. 319, an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities;

Also, Senate bill No. 361, an Act extending the time for J. R. Vineyard, and his associates and assigns, to construct a toll bridge across the Yuba River, in Yuba County;

Also, Senate bill No. 364, an Act to organize the Fire Department of the Town of Santa Rosa;

Also, Senate bill No. 365, an Act to appropriate money to pay contingent expenses of the fourteenth session of the Legislature;

And said bills were, April twenty-fifth, eighteen hundred and sixty-three, at nine o'clock and forty minutes P. M., delivered to the Governor for his approval.

Also, Senate concurrent resolution No. 28, relative to Public Lands;

Also, Senate bill No. 160, an Act concerning crimes and punishments;

Also, Senate bill No. 169, an Act respecting the fees of Court Commissioners;

Also, Senate bill No. 173, an Act appropriating money to pay certain claims allowed by the Board of Military Auditors;

Also, Senate bill No. 178, an Act in relation to library associations;

Also, Senate bill No. 205, an Act concerning officers' fees in Tehama County;

Also, Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, Senate bill No. 220, an Act to appropriate money for the geological survey of the State;

Also, Senate bill No. 223, an Act conferring further powers upon the Board of Levee Commissioners of the City of Sacramento;

Also, Senate bill No. 237, an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight;

Also, Senate bill No. 239, an Act to provide for the sale of certain Public Lands belonging to this State;

Also, Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County;

Also, Senate bill No. 278, an Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto;

Also, Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, and the several Acts amendatory thereof and supplemental thereto;

Also, Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State;

Also, Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, Senate bill No. 337, an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one;

Also, Senate bill No. 343, an Act to punish offences against the peace of the State;

Also, Senate bill No. 344, an Act to pay certain claims;

Also, Senate bill No. 350, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto;

Also, Senate bill No. 354, an Act to authorize the Board of Swamp Land Commissioners to allow the claim of George R. More;

Also, Senate bill No. 359, an Act to appropriate money to pay certain claims;

Also, Senate bill No. 366, an Act to authorize and sanction the consolidation and fusion of certain joint stock associations therein named;

Also, Senate bill No. 367, an Act to authorize the Sacramento, Placer, and Nevada Railroad Company to sell their road, etc.;

Also, Senate substitute for Assembly bill No. 501, an Act to amend an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County, approved March thirty-first, eighteen hundred and sixty-three;

Also, Senate bill No. 219, an Act amendatory of and supplementary to the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same.

And on April twenty-fifth, A. D. eighteen hundred and sixty-three, at ten o'clock, p. m., delivered the same to the Governor for his approval.

HIGGINS, Chairman,

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 27th, 1863. }

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 1, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one;

Also, Senate bill No. 197, an Act to amend an Act entitled an Act to provide for the reclamation and segregation of Swamp and Overflowed, and Salt Marsh, and Tide Lands, donated to the State of California by Act of Congress, approved May thirteenth, eighteen hundred and sixty-one;

Also, Senate bill No. 176, an Act to authorize Samuel B. Campbell to construct and maintain a wharf at Punta Arenas, in Mendocino County;

Also, Senate bill No. 15, an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject;

Also, Senate bill No. 240, an Act to authorize the Board of Supervi-

sors of the County of Calaveras to take and subscribe twenty-five thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same;

Also, Senate bill No. 214, an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Senate bill No. 102, an Act to amend an Act entitled an Act for the government and protection of Indians, passed April twenty-second, eighteen hundred and fifty;

Also, Senate bill No. 352, an Act to pay the claim of Gregory Yale;

Also, Senate bill No. 136, an Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty;

Also, Senate bill No. 242, an Act appropriating money to pay certain claims;

Also, Senate bill No. 71, an Act for the relief of Matthew Bird;

Also, Senate bill No. 254, an Act concerning roads and highways in the County of San Mateo;

Also, Senate bill No. 285, an Act to enable Jesus Maria Soto and Mariano Soto to sell and convey or make partition of their real estate, and removing their disability from nonage;

Also, Senate bill No. 207, an Act appropriating money to pay the claim of the San Francisco Gas Company;

Also, Senate bill No. 257, an Act to provide bonds for completing the Deaf, Dumb, and Blind Asylum;

Also, Senate bill No. 228, an Act to provide for the better protection of private property in certain counties of this State;

Also, Senate bill No. 141, an Act to amend section eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty;

Also, Senate bill No. 204, an Act amendatory of and supplementary to an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one;

Also, Senate bill No. 259, an Act to provide for surveying and establishing the eastern boundary of the State of California;

Also, Senate bill No. 35, an Act to legalize certain acknowledgments;

Also, Senate bill No. 363, an Act making county warrants drawn on the General Fund of Tulare County receivable in payment for county taxes;

Also, Senate bill No. 6, an Act to repeal an Act to provide for the appointment of a Measurer of Wood in and for the City and County of San Francisco, approved April twenty-eighth, eighteen hundred and sixty-two;

Also, Senate bill No. 282, an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county;

Also, Senate bill No. 236, an Act to authorize the Board of State Prison Directors to allow interest on certain claims;

Also, Senate bill No. 229, an Act to appropriate money for the geological survey of the State;

Also, Senate bill No. 359, an Act to appropriate money to pay certain claims;

Also, Senate bill No. 205, an Act concerning official fees in the County of Tehama;

Also, Senate bill No. 280, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto;

Also, Senate bill No. 343, an Act to punish offences against the peace of the State;

Also, Senate bill No. 316, an Act to amend an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, Senate bill No. 344, an Act to pay certain claims;

Also, Senate bill No. 169, an Act respecting the fees of Court Commissioners;

Also, Senate bill No. 223, an Act conferring further powers on the Board of Levee Commissioners of the City of Sacramento;

Also, Senate substitute for Assembly bill No. 591, an Act to amend an Act entitled an Act to provide for the construction of a wagon road from Sonora, Tuolumne County, to Aurora, Mono County, approved March thirty-first, eighteen hundred and sixty-three;

Also, Senate bill No. 337, an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one;

Also, Senate bill No. 239, an Act to provide for the sale of certain lands belonging to the State;

Also, Senate bill No. 284, an Act providing for the time of holding the several Courts of record in this State;

Also, Senate bill No. 178, an Act in reference to library associations;

Also, Senate bill No. 162, an Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof;

Also, Senate bill No. 281, an Act to amend an Act entitled an Act for the relief of insolvent debtors, and protection of creditors, approved May fourth, one thousand eight hundred and fifty-two, and the Act amendatory thereof, approved April twenty-seventh, one thousand eight hundred and sixty;

Also, Senate bill No. 296, an Act to prevent the fraudulent conveyance or encumbrance of real estate by married women;

Also, Senate bill No. 199, an Act to fix the salaries of judicial officers, and provide for the payment of the same;

Also, Senate bill No. 364, an Act to organize the Fire Department of the Town of Santa Rosa;

Also, Senate bill No. 361, an Act extending the time for J. R. Vineyard and his assigns to construct a toll bridge across the Yuba River, at or near Parks' Bar, in Yuba County;

Also, Senate bill No. 200, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act of May twentieth, eighteen hundred and sixty-one, amendatory thereof;

Also, Senate bill No. 365, an Act to appropriate money to pay contingent expenses of the Legislature at its fourteenth session;

Also, Senate bill No. 319, an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of

Indian hostilities in certain counties of this State, and to indemnify citizens of this State for losses sustained by Indian depredations;

Also, Senate bill No. 194, an Act amendatory of an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty;

Also Senate bill No. 173, an Act appropriating money to pay certain claims allowed by the Board of Military Auditors;

Also, Senate bill No. 218, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five;

Also, Senate bill No. 160, an Act to prohibit the carrying of concealed weapons;

Also, Senate bill No. 354, an Act to authorize the Board of Swamp Land Commissioners to allow the claim of George R. More;

Also, Senate bill No. 367, an Act to authorize the Sacramento, Placer, and Nevada Railroad Company to sell and convey their road, and other matters relating thereto;

Also, Senate bill No. 366, an Act to authorize and sanction the consolidation and fusion of certain joint stock associations therein named;

Also, Senate bill No. 359, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto;

Also, Senate bill No. 237, an Act to amend an Act entitled an Act conferring certain powers upon Guardians of insane persons, passed March twenty-seventh, eighteen hundred and fifty-eight;

Also, Senate bill No. 245, an Act concerning the records and papers in the office of the County Clerk of Placer County;

Also, Senate bill No. 185, an Act to provide for the punishment of persons cutting timber upon, or carrying the same when cut down, from any of the Swamp and Overflowed, Tide, or Marsh, or School Lands, belonging to this State;

Also, Senate bill No. 224, an Act concerning grand and trial jurors;

Also, Senate bill No. 193, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof;

Also, Senate bill No. 219, an Act amendatory of the Act to regulate proceedings in civil cases in the Courts of Justice of this State, and of Acts amending the same;

Also, Senate bill No. 358, an Act granting the right of way and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory.

LELAND STANFORD, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 27th, 1863.

To the Honorable the Senate of California:

I have to inform your honorable body that I have approved Senate bill No. 238, an Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a wharf and ferry landing in the City and County of San Francisco.

LELAND STANFORD, Governor.

A message was received from the Assembly, announcing the adoption of a concurrent resolution relative to adjournment.

The resolution was taken up, and concurred in.

Mr. Shurtleff offered the following resolution :

Resolved, That the thanks of this body are hereby tendered to the Hon. J. F. Chellis, President of the Senate, and Hon. A. M. Crane, President pro tem, for the able and impartial manner in which they have presided over our deliberations during the present session of the Legislature.

Adopted.

On taking Mr. McNabb's resolution from the table, the ayes and noes were demanded, by Messrs. Powers, Chamberlain, and Porter of Contra Costa, and taken, with the following result :

AYES—Messrs. Abell, Baker, Bogart, Booth, Cunningham, Doll, Gaskill, Harvey, Higgins, Holden, McNabb, Oulton, Parks, Perkins, Shurtleff, and Vineyard—16.

NOES—Messrs. Cavis, Chamberlain, Crane, Hathaway, Higby, Kutz, Nixon, Porter of Contra Costa, Porter of Santa Cruz, Powers, Saxton, Van Dyke, and Wallis—13.

The Chair decided that a majority vote would take the resolution from the table.

Mr. Chamberlain appealed.

On which, the ayes and noes were demanded, by Messrs. Chamberlain, Powers, and Perkins, and taken, with the following result :

AYES—Messrs. Abell, Anderson, Baker, Bogart, Booth, Cunningham, Doll, Gaskill, Harvey, Hathaway, Higgins, Holden, McNabb, Oulton, Parks, Perkins, Saxton, Shurtleff, Van Dyke, Vineyard, Wallis, and Whiting—22.

NOES—Messrs. Chamberlain, Clark, Higby, Nixon, Porter of Contra Costa, Porter of Santa Cruz, and Powers—7.

After further amendments, the resolution was withdrawn.

A message was received from the Assembly, announcing the adoption of a concurrent resolution relative to adjournment.

Senate refused to concur.

Mr. Wallis offered the following resolution :

Resolved, That the Enrolling Clerk, and each of the Assistant Enrolling Clerks, be allowed one day extra pay, to be paid out of the Contingent Fund of the Senate.

Adopted.

A committee of three, consisting of Messrs. Booth, Gaskill, and McCullough, was appointed to wait on the Governor, and ascertain if he had any further communication to make to the Senate.

The committee returned and announced, through their Chairman, that the Governor had no further communication to submit.

Mr. Gaskill offered the following resolution :

Resolved, That ten dollars be and the same is hereby appropriated to

the Sergeant-at-Arms, to cover deficiencies in postage, which have accrued during the session, and the Controller is hereby authorized to draw his warrant for the same.

Adopted.

The hour fixed for adjournment (half past twelve o'clock, P. M.) having arrived, Lieutenant-Governor Chellis arose and delivered the following valedictory remarks :

SENATORS :—Before pronouncing the final adjournment of this body, and ending those mutual relations which to me have been in the highest degree both pleasant and profitable, common usage and a sense of justice demand that I should tender to you a tribute of sincere acknowledgment and unaffected gratitude.

In doing this, I may with propriety review some of the circumstances which have given a peculiar distinction to this session of the Senate, and which, in their results, we may justly hope will contribute in no small degree to the future welfare of the State.

The obligations due from the law maker to society are of a grave and responsible nature, for upon his action rests the security of life, protection of property, and the enjoyment of civil liberty. In addition to the ordinary duties of legislation, you have had to keep constantly in view, during the present session, the preparatory measures necessary to the operation of an amended Constitution. The constitutional amendments adopted by Legislatures that have preceded you materially change many of the fundamental elements of our State government, and involve principles, policies, and interests of the highest importance. To this special duty you have devoted your time and your energies with a zeal and integrity that will redound to your own credit and to the credit of the State, which I am sure you have *tried* faithfully to represent ; and I am convinced that the result of your deliberations will be of inestimable value in the workings of the new system inaugurated by your predecessors.

This session of the Legislature has been held during a period of our national history that stands without a parallel in the annals of the past, and to you as legislators has been assigned the difficult and responsible duty of perfecting measures for the public security in a time of imminent and threatening danger. That you have promptly and courageously met every emergency is manifest by the grateful and general response which comes back to us from the loyal people of the East, who no longer doubt the loyalty of California, nor tremble lest the beloved flag of our country should be lowered to the bands of treason on this frontier post of freedom.

Occupying as we do this sparsely settled coast of the Pacific, it is our duty to maintain the unity of our common country, and to guard with vigilance every interest and anticipate every want of the National Government. Let California continue to emblazon on her banner " Union forever," and her escutcheon will stand the brightest and proudest in the constellation of States.

The ability and integrity with which you have served the public interest entitle you to the confidence and gratitude of the people of this State, and I should be wanting in the instincts of my nature did I not express to you the profound satisfaction it affords me in having been thus associated with this branch of the Legislature.

For the kindness you have manifested towards me at all times, for

your labors and devotion, I am under obligations which I would gladly express had I the language at command. I trust the influence we have had this winter in the discharge of public duties will result in an increase of our usefulness when we return to our respective homes, and that from every precinct of the State, when the cause of freedom is once more put upon trial, the progress will go up from every town and hamlet to the State — the country, not what country, cannot but be visible."

I am, dear Sir, your obedient servant.

J. F. CHILLIS

President of the Senate

Attest, John W. Wray, Secretary of Senate

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31	An Act to amend an Act, passed March twenty-fifth, eighteen hundred and sixty-two, concerning Proceedings in Civil Cases. Shurtleff.....	91	91, 116, 121, 130.	132	448
35	An Act to legalize certain conveyances. McNabb.....	91	116, 122, 150, 180, 183, 195	200	409
36	An Act to amend an Act entitled an Act creating the Office of Township Collector and Assessor in the Counties of El Dorado and Amador, approved April twenty-sixth, eighteen hundred and sixty-two. Harvey.....	94	94, 119, 132, 250		155
37	An Act to authorize the Executors of the last Will and Testament of John W. Wilde, deceased, to sell and convey certain real estate. Abell.....	94	94, 109, 207, 111, 123, 137		466
38	An Act to amend Section One Hundred and Ninety-Eight of an Act entitled an Act to regulate the Settlement of the Estates of Deceased Persons, approved May first, A. D. eighteen hundred and sixty-two. Holden.....	94	94, 167, 183		

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate	Passed Assembly
39	An Act to amend an Act entitled an Act to authorize Eugene L. Sullivan, Nathaniel Hollister, and John B. ... and their associates and assigns, to lay down Gas Pipes in the City and County of San Francisco, approved May third, eighteen hundred and sixty-two. ...	94	94, 190, 196, 225, 236, 228, 406, 409	217	314
40	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. ...	97	97, 106, 108, 114	121	293
41	An Act to amend an Act entitled an Act to create a Board of Supervisors in the Counties of this State, and to define their duties and powers, passed March twentieth, eighteen hundred and fifty-five, and other Acts amendatory thereof. ...	95	106, 108, 114, 121, 124, 207, 215	151	148
42	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof. ...	95	95, 175, 214, 452, 419	185	448
43	An Act supplemental to an Act entitled an Act to provide for Funding the Indebtedness of the County of Monterey, approved April sixteenth, eighteen hundred and sixty-two. ...	98	107, 171, 229	101	115
44	An Act to amend an Act to regulate the Settlement of Estates of Deceased Persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereof. ...	100	100, 109, 113, 162, 188	112	140
45	An Act to amend Section One of an Act, approved March thirtieth, eighteen hundred and sixty-two, entitled an Act to transcribe certain Records of the County of Sonoma. ...	101	108, 162, 188	102	115
46	An Act to amend an Act entitled an Act concerning Wills, passed April tenth, eighteen hundred and fifty. ...	101	101, 148, 155		
47	An Act amendatory and supplementary to an Act entitled an Act concerning Crimes and Punishments, passed April sixteenth, eighteen hundred and fifty. ...	101	101, 167, 238	249	313
48	An Act to amend Section One of an Act, approved April tenth, eighteen hundred and sixty-two, entitled an Act concerning the County Records of the County of Trinity. ...	101	107, 162, 188	102	115
49	An Act to pay John C. Doherty for certain Services rendered to the State. ...	102	102, 176, 190, 193, 199	236	
50	An Act to amend Section Sixteen of an Act entitled an Act concerning Jurors, approved May third, eighteen hundred and fifty-two, and to amend Section Second of an Act amendatory to said Act, ...				

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	approved May third, eighteen hundred and fifty-two, passed January twenty-eighth, eighteen hundred and fifty-four. Burnell.....	102	116, 131		
51	An Act relating to Lands owned or claimed by tenants in common. McNabb.....	103	103, 175, 204, 230		
52	An Act to amend an Act making Certificates of Purchase or of Location evidence of title, approved April thirteenth, eighteen hundred and fifty-nine. Holden.....	106	106, 130, 138, 144, 147, 242, 268, 279	308	
53	An Act amendatory of and supplementary to an Act entitled an Act to establish and regulate Common Schools, and to repeal former Acts concerning the same, passed May third, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto. Wallis.....	106	106, 419, 482		
54	An Act to amend an Act prescribing the Rules for the Government of the State Library, etc. Perkins.....	110	110		
55	An Act making appropriation for the Payment of the Expenses incurred in the Horace Smith case. Higgins.....	110	110, 197, 204, 239	222	364
56	An Act concerning Estray Animals. Wallis.....	110	110, 381, 414.		
57	An Act to provide for the Funding of the Indebtedness of San Luis Obispo County. Pacheco.....	110	119, 133, 136, 142, 207, 250	145	156
58	An Act to provide for the Selection and Sale of the Lands donated to this State for the support of an Agricultural and Mechanical College. Holden...	110	110, 412, 481		
59	An Act amending the Act concerning the Office of County Treasurer. Shurtleff.....	110	110		
60	An Act to grant Larkin Lamb and his associates the right to construct a Toll Bridge across the Cosumnes River, etc. Burnell.....	112	112, 118, 130, 207, 250	122	156
61	An Act amending an Act incorporating a State Agricultural Society. Doll.....	112	112, 117, 119, 267, 276.		172
62	An Act to amend an Act relating to Public Administrator in certain counties. Shurtleff.....	111	119, 134, 148, 162, 188	114	
63	An Act to amend an Act to provide for the location of School Warrants upon Unsurveyed Lands, and for the issuance of Titles for the same, approved April eighteenth, eighteen hundred and fifty-nine. Booth.....	113	113, 364, 398		
64	An Act regulating Actions affecting title or possession of Real Estate. Porter of Contra Costa....	117	118, 391, 449	416	542
65	An Act to repeal an Act entitled an Act concerning certain Salaries and Fees of Office in the County				

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	of Monterey, approved April nineteenth, eighteen hundred and sixty-two, and to revive an Act to regulate Fees in Office in certain counties of this State, approved April twenty-eighth, eighteen hundred and fifty-seven. Porter of Santa Cruz..	120	120, 135, 142, 207, 250	136	165
66	An Act to create a Probate Court in the City and County of San Francisco, and to provide for the organization of the same. Perkins.....	120	120, 176, 186		
67	An Act for the relief of Purchasers of Swamp and Overflowed, Salt Marsh, and Tide Lands. Holden	120	120, 171, 214, 316	186	293
68	An Act authorizing the Construction of a Wagon Road over the Coast Range of Mountains, in San Luis Obispo County. Pacheco.....	120	120, 155, 163, 184, 193, 207, 214, 316	223	294
69	An Act to amend Section One Hundred and Forty of an Act concerning Crimes and Punishments, approved April fifteenth, eighteen hundred and fifty. Holden		136, 147, 144, 240, 289	146	179
70	An Act to amend an Act entitled an Act concerning Marks and Brands, passed May first, eighteen hundred and fifty-one, and an Act amendatory and supplementary thereto, approved May fourteenth, eighteen hundred and sixty-one. Wallis.	131	131, 498, 511		
71	An Act for the relief of Matthew Bird. Birdseye.	131	131, 143, 154.	147	478
72	An Act to authorize Robert J. Vandewater to construct a Dry Dock. Abell	131	131, 526, 543		
73	An Act to authorize the Guardian of Frederico Alvarado, a minor, to sell real estate. Bogart.....	131	136, 142, 229	145	
74	An Act to authorize the construction of Floating Dry Docks in the Harbor of San Francisco. Porter of Santa Cruz.....	131	367, 385, 414, 428, 450, 456, 458, 474		
75	A bill for an Act in reference to Corporations organized in this State for the purpose of mining. Burnell.....	131	131, 154, 172, 337	163	
76	An Act to grant the right to construct a Turnpike Road in Amador County. Burnell.....	137	144, 190, 280, 326	141	190
77	An Act to separate the office of Collector of Taxes from the office of Sheriff in the County of Trinity. Shurtleff	137	144, 207, 250	141	165
78	An Act authorizing the maintaining of a Marine Railway in San Francisco. Holden.....	137	137, 423, 483		
79	An Act to amend an Act entitled an Act to organize Townships, and regulate their powers and duties, etc. Kutz.....	140	140, 143, 154	147	376
80	An Act to amend an Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State. Wallis.....	140	140, 151, 163, 175	185	448

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
81	An Act to amend an Act entitled an Act defining the duties of County Clerks, passed April eighteenth, eighteen hundred and fifty. Wallis.....	145	145, 147, 153, 163, 267, 289	179	215
82	An Act to amend an Act entitled an Act to regulate the Settlement of the Estates of Deceased Persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto. Higgins.....	145	145, 153, 163		
83	An Act to amend an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one. Wallis.....	145	147, 152, 167, 240, 289	179	215
84	An Act amendatory of an Act relating to the Indenturing of Minors, passed May twelfth, eighteen hundred and sixty-two. Clark.....	145	147, 151, 163, 171, 240, 289	185	108
85	An Act to amend an Act entitled an Act to regulate Proceedings in Criminal Cases, passed May first, eighteen hundred and fifty-one. McCullough.....	146	151, 163, 174, 316	186	293
86	An Act supplementary to an Act entitled an Act to authorize the County of San Joaquin to issue Bonds for agricultural uses. Chamberlain.....	148	215		152
87	An Act to amend an Act to provide for the Conveyance of Mining Claims, approved April thirteenth, eighteen hundred and sixty. Burnell.....	148	286		263
88	An Act to define the Boundary Line between the Counties of Amador and El Dorado. Burnell.....	152	182, 202	195	
89	An Act exempting the Counties of San Diego and San Bernardino from the operation of the Game Law, passed May thirtieth, eighteen hundred and fifty-four, amended April fifteenth, eighteen hundred and fifty-seven. Bogart.....	152	154, 163, 173, 293	185	
90	An Act to provide for the improvement and protection of Wharves, Docks, and Water Front in the City and County of San Francisco. Oulton.....	156	342, 367, 409	422	510
91	An Act to amend the Civil Practice Act of this State in relation to Attachments. Higgins.....	156	196, 225, 421	235	337
92	An Act to repeal an Act for the relief of Insolvent Debtors and protection of Creditors, and all laws amendatory thereof and supplementary thereto. Higgins.....	156	175, 186, 187		
93	An Act to provide a special Fund for the construction of the State Capitol Building in the City of Sacramento. Nixon.....	157	176, 195, 239	210	304
94	An Act entitled an Act to regulate Proceedings in Civil Cases in Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Harvey.....	156	167		
95	An Act to grant the right to construct a Turnpike between the Town of Chinese Camp, in the County				

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	of Tuolumne, and the Town of Aurora, in the County of Mono. Quint	156	168, 179, 221	230	448
96	An Act to suspend an Act entitled an Act to provide for the collection and payment of the quota of the Direct Tax apportioned to this State by an Act of Congress, entitled an Act to provide Increased Revenue from Imports to pay interest on the Public Debt, and for other purposes, passed August fifth, eighteen hundred and sixty-one, approved April twelfth, eighteen hundred and sixty-two. Burnell.....	161	187, 196		
97	An Act to establish an Agricultural and Mechanical Arts College in Napa County. Holden.....	161	274, 285, 317, 340		
98	An Act to improve the Navigation of San Antonio Creek. Crane.....	161	423, 482		
99	An Act for the relief of the Indigent Sufferers from the Small Pox in the County of San Diego. Bogart.....	161	168, 195		
100	An Act in relation to the Exempt Fire Company of the City and County of San Francisco. Whiting.	161	312		327
101	An Act to amend an Act entitled an Act concerning the Receipts and Expenditures of the State, passed February twentieth, eighteen hundred and fifty-seven. Wallis.....	162	197, 221, 316	227	293
102	An Act to amend an Act entitled an Act for the Government and Protection of Indians, passed April twenty-second, eighteen hundred and fifty. Wallis.....	162	170, 175	185	479
103	An Act to amend an Act entitled an Act to confer further powers upon the Board of Education and the Auditor and Treasurer of the City and County of San Francisco, also amendatory of an Act, approved April twenty-third, eighteen hundred and fifty-eight, entitled an Act to confer further powers upon the Board of Supervisors and Auditor and County Treasurer of the City and County of San Francisco, and to authorize them to perform certain acts therein mentioned, approved March fifteenth, eighteen hundred and sixty. Clark.....	162	172, 214, 267, 289	185	229
104	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to repeal the several Charters of the City of San Francisco, and to consolidate the Government thereof, approved April nineteenth, eighteen hundred and fifty-eight, of and to which there is a certain other Act amendatory and supplementary, approved April eighteenth, eighteen hundred and fifty-seven, approved April twenty-fifth, eighteen hundred and fifty nine. Clark.....	161	172, 214, 268, 289	185	229
105	An Act concerning the office of County Assessor for Butte County. Shannon.....	161	207, 215	168	172

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
106	An Act to amend an Act entitled an Act granting certain powers to the Board of Education of the City and County of San Francisco, approved April twenty-sixth, eighteen hundred and fifty-eight. Clark.....	162	172, 214, 280, 326	185	229
107	An Act explanatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved April tenth, eighteen hundred and sixty-two. Parks.....	164	187, 225	196	204
108	An Act to amend an Act entitled an Act concerning the office of Surveyor-General, passed April seventeenth, eighteen hundred and fifty. Wallis.....	164	175, 185, 192	196	
109	An Act to grant the right to construct a Bridge and establish a Ferry on the San Joaquin River, in Fresno County. Booth.....	168	177, 202	186	327
110	An Act to authorize the Board of Supervisors of Trinity County to levy a Tax for a County Building Fund. Shurtleff.....	169	268, 289	184	215
111	An Act to levy and collect a Tax upon Fire Insurance Companies for the benefit of the Fire Department Charitable Funds. Porter of Contra Costa.....	170	412, 482		
112	An Act to define the Boundary of El Dorado County. Harvey.....	170	276, 293	276	376
113	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty. Van Dyke	170	204, 226, 255, 271, 292, 376, 409, 415.	308	359
114	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases. Van Dyke.....	170	171, 185, 192	197	448
115	An Act authorizing and empowering the Common Council of the City of Stockton to vacate parts of certain streets, etc. Chamberlain.....	170	176, 195, 268, 289	185	215
116	An Act amending an Act concerning Crimes and Punishments. Perkins.....	173	187, 196		
117	An Act granting certain rights to the Central Pacific Railroad Company of California, and for other purposes. Booth.....	173	267, 317		349
118	An Act to grant to John McNealy and his associates the right to construct and maintain a Toll Bridge across the Mokelumne River, in the Counties of Calaveras and Amador. Burnell.....	173	181, 214, 413	186	357
119	An Act concerning records of the District Courts. Shurtleff.....	173	187, 196, 225, 346, 360	238	
120	An Act authorizing the Board of Supervisors of Los Angeles County to make a special appropriation for work and labor to be done upon the Santa Anna Eagle and Marble Mines Road. Vineyard	173	221, 317	195	290

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
121	An Act to provide for the payment of the indebtedness of Stanislaus County to Tuolumne County. Quint	173	186, 528, 544		
122	An Act providing for the time of holding Court in the Sixteenth Judicial District. Higby.....	173	269	269	314
123	An Act to amend an Act entitled an Act in relation to Public Roads in Calaveras County, approved April tenth, eighteen hundred and sixty-two. Higby.....	173	180, 202, 368	206	293
124	An Act concerning Roads and Highways in the County of Nevada. Kutz.....	178	187, 221	196	343
125	An Act amendatory of and supplementary to an Act entitled an Act in relation to the Militia of the State of California, approved April twenty-fourth, eighteen hundred and sixty-two. Clark.....	178			
126	An Act to amend an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine. Wallis.....	178	181, 184, 195, 228, 338	236	
127	An Act amendatory of and supplementary to an Act to create a Board of Examiners, to define their powers and duties, and to impose certain duties upon the Controller and Treasurer, approved April twenty-first, eighteen hundred and fifty-eight. Parks	178	197, 239	204	290
128	An Act to authorize the State to assist in the construction of a Railroad to connect the State of Oregon with the Central Pacific Railroad, and to create a debt for that purpose. Higgins.....	178	207, 227		
129	An Act to authorize the Board of Supervisors of Placer County to purchase or construct a County Hospital. Harriman.....	178	195	186	358
130	An Act to amend an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto. Crane.....	180	232, 280, 455	243	
131	An Act to provide Revenue for the Support of the Government of this State, passed April thirtieth, eighteen hundred and sixty. Quint.....	182	207		
132	An Act for the relief of A. M. Rosborough. Oulton.	182	237, 238, 249.		
133	An Act for the relief of Franklin A. Rogers. Oulton.	182	238, 248		
134	An Act to authorize the Board of Supervisors of Stanislaus County to appropriate the sum of two thousand one hundred and eighteen dollars to pay the claim of George E. Drew for surveying the boundary line of a portion of San Joaquin County annexed to Stanislaus County. Chamberlain.....	182	198, 204, 230, 259		

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
125	An Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty. Wallis	184	201, 238	222	338
136	An Act to amend an Act entitled an Act concerning the office of State Treasurer, passed January twenty-fourth, eighteen hundred and fifty. Wallis	184	201, 223, 246	231	479
137	An Act to repeal Section One of an Act entitled an Act to authorize the Board of Supervisors of Calaveras County to employ a competent person to examine the Records and ascertain the existing debt of said County, and to allow a reasonable compensation for the same, and also to allow a reasonable compensation for the examination already made of the Tax Rolls of said county for the years eighteen hundred and fifty-eight, eighteen hundred and fifty-nine, and eighteen hundred and sixty. Lewis	184	192, 215, 240, 289		
138	An Act to define and establish a Line between the State of California and the Territory of Nevada, in accordance with an Act of Congress organizing said Territory, and for the assent of the State of California to such change of Boundary. Shannon	184			
139	An Act to provide for the Pauper Sick of Tehama County. Doll	189	222, 236, 258	242	454
140	An Act for the relief of the family of Colonel Roderick Matheson. McNabb	189	279		
141	An Act to amend Section Eleven of an Act entitled an Act concerning the office of County Treasurer, passed March twenty-seventh, eighteen hundred and fifty. Shurtleff	189	207, 223, 239	249	479
142	An Act to regulate Fees in Office in the Counties of Trinity and Shasta. Shurtleff	189	196, 228	236	338
143	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases, passed April twenty-ninth, eighteen hundred and fifty-one. Kutz	189	201		
144	An Act to grant the right to H. J. May, Charles M. Baxter, William Kohl, and others, to lay a Railroad Track in the City of Petaluma, and through a public road in the County of Sonoma. McNabb	189	213, 230, 266, 316	281	313
145	An Act appropriating Money for the benefit of the Ladies' Protection and Relief Society. Clark	189	391, 416		
146	An Act concerning the Insane Asylum of California, and to levy a tax. Hathaway	192	266, 291, 317	395	421
147	An Act to incorporate the City of Placerville, and to extend the limits thereof. Harvey	192	208		229

SENATE BILLS.

Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
148	An Act to authorize Ephraim J. Dodge, Administrator of the Estate of James W. Clark, to sell and convey the realty belonging to said Estate. Parks.....	192	214, 293		
149	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and an Act amendatory thereof, approved May eighteenth, eighteen hundred and fifty-one. Wallis.....	192	300, 328		
150	An Act to authorize the levy of a Special Property Tax in the County of Sonoma for the establishment and maintenance of Roads and Bridges. McNabb.....	192	209, 223, 259, 407		294
151	An Act to amend an Act to authorize the Board of Supervisors of Calaveras County to issue Bonds, in a sum not to exceed the sum of six thousand dollars, and to dispose of the same for Road purposes, approved March sixteenth, eighteen hundred and sixty-two. Lewis.....	192	201		
152	An Act to define the Terms of Office in this State, and fix the commencement thereof. Parks.....	194	208, 251, 252, 253, 264		
153	An Act to amend an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty. Higby.....	194	204, 237, 248		
154	An Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven. Higby	194	201, 239	222	338
155	An Act fixing the time for holding the Terms of the District Court in Lake County. Holden.....	194	225, 300, 301	200	277
156	An Act to amend an Act entitled an Act in relation to Public Roads in the County of El Dorado, and to the Road Fund of said county, approved February twenty-seventh, eighteen hundred and sixty-two. Harvey.....	194	225, 317	200	
157	An Act to authorize Joseph Galloway and his associates to construct and maintain a Wharf in the City and County of San Francisco. Perkins.....	194	526, 543		
158	An Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of San José, passed March sixteenth, eighteen hundred and fifty-nine, and all Acts amendatory thereof. Wallis.....		209, 223, 233, 286, 288	543	
159	An Act to Fund the Indebtedness of Calaveras County contracted since the first of January, eighteen hundred and sixty-one, and before the passage of this Act, and to provide means for the payment of the same. Higby.....	203	246	224	407

SENATE BILLS.

Number.....	T I T L E.	Introduced.....	Further Action	Passed Senate..	Passed Assembly.....
160	An Act concerning Crimes and Punishments. Crane	203	261, 300, 503		500
161	An Act to amend an Act fixing the Salaries of State Officers and Clerks, passed May sixth, eighteen hundred and sixty-one. Wallis.....	203	258	231	464
162	An Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof. Wallis ..	203	300, 328	350	531
163	An Act to change the name of Victor Desere to William Henry Roberts. Doll.....	203	213, 258, 317	236	294
164	An Act to incorporate the Town of San Luis Obispo. Pacheco	204	232, 243, 266	281	327
165	An Act defining the duties of the County Treasurers of this State in relation to payment for lands purchased of this State. Holden.....	203	258, 271		
166	An Act to amend an Act entitled an Act concerning Crimes and Punishments, which took effect May sixth, eighteen hundred and fifty. Crane	204	261, 300	282	500
167	An Act to amend an Act entitled an Act in relation to the Militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two. Harri- man.....	204	418, 483		
168	An Act granting the right to construct and maintain a Bridge across the American River, near Rattle- snake Bar, in the Counties of Placer and El Do- rado. Saxton.....	203	209, 228, 317	209	294
169	An Act respecting the Fees of Court Commissioners. Crane	203	213, 227, 246	253	500
170	An Act to amend an Act entitled an Act concerning offices, passed April twenty-eighth, eighteen hundred and fifty-one, and other Acts amendatory thereof. Judiciary Committee		223, 252		
171	An Act to appropriate money to pay certain Claims against the State for services and sundries fur- nished the State Reform School. Committee on Claims.....	209		222	478
172	An Act to provide for the construction of a Wagon Road from Georgetown, via the north side of Lake Bigler, to the eastern boundary of the State. Sax- ton	209	228, 239	228	327
173	An Act appropriating money to pay certain Claims allowed by the Board of Military Auditors. Com- mittee on Claims	209	246, 503	223	500
174	An Act appropriating money to pay the Claim of Richard M. Jessup. Committee on Claims.....	209		222	478

SENATE BILLS.

Number	T I T L E.	Introduced.....	Further Action	Passed Senate.	Passed Assembly.....
175	An Act to grant the right to construct a Turnpike Road from the Town of Sutter Creek to Volcano, in the County of Amador. Burnell.....	210	233	222	338
176	An Act to authorize Samuel B. Campbell to construct and maintain a Wharf at Punta Arenas, in Mendocino County. Holden.....	210		270	493
177	An Act requiring the County Judge of Santa Clara County to keep Chambers at the County Seat of his county. Wallis.....	210	246	231	407
178	An Act in relation to Library Associations. Clark.	210		285	409
179	An Act to amend an Act entitled an Act concerning Passengers arriving in the Ports of this State, approved May third, eighteen hundred and fifty-two. Hathaway.....		301	345	354
180	An Act to amend an Act to provide for the incorporation of Wagon Road Companies, passed April twenty-second, eighteen hundred and fifty-three. Baker.....	222	446, 489		
181	An Act concerning Public Ferries and Toll Bridges, passed April twenty-eighth, eighteen hundred and fifty-five. Baker.....	221	416		
182	An Act entitled an Act to provide for the reclamation of Swamp Lands, etc. Baker.....	221	254, 270		
183	An Act to fix the Salary of the District Attorney of the County of Shasta. Shurtleff.....	221	246	231	407
184	An Act to authorize John F. Hill, his associates and assigns, to construct and maintain a Macadamized Road in the City and County of San Francisco. Whiting.....	224	233, 342, 396		464
185	An Act to provide for the Punishment of Persons cutting Timber upon, or carrying the same when cut down, from any Swamp and Overflowed Lands or School Lands of this State. Holden.....	222	262, 300	282	529
186	An Act to exempt from taxation certain Property of the Society of California Pioneers. Abell.....	225			294
187	An Act to regulate the Payment of Losses on Policies of Insurance made by Foreign Insurance Companies. Crane.....	226	331, 389		
188	An Act to confer further Powers upon the Board of Supervisors of Mendocino County. Holden.....	226	246	231	376
189	An Act to provide for the retention of Hides of Cattle killed or slaughtered in certain counties of this State. Wallis.....	226	266, 539	231	407
190	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Actions in the Courts of Justice, passed April twenty-ninth, eighteen hundred				

SENATE BILLS.

Number	TITLE.	Introduced.....	Further Action	Passed Senate..	Passed Assembly
	and fifty-one, and the several Acts amendatory thereof and supplemental thereto. Crane.....	226	300, 328		
191	An Act to authorize the Treasurer of State to issue certain Bonds. Oulton.....	226	274, 285		
192	An Act to exempt the Homestead of John A. Sutter from taxation. Wallis.	230	373, 404		
193	An Act concerning the offices of County Clerk, County Treasurer, District Attorney, County Assessor, and Superintendent of Public Instruction of Mendocino County. Holden.	230	241	248	454
194	An Act amendatory of an Act concerning Corporations, passed April twenty-second, eighteen hundred and fifty. Whiting.....	230	435, 463	509	512
195	An Act to secure the payment of the Indebtedness of the County of Alameda to the County of Contra Costa. Porter of Contra Costa.....	235	254, 259, 312, 328, 340		
196	An Act to amend an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof. McCullough.....	235	299	361	529
197	An Act to amend an Act entitled an Act to provide for the Reclamation and Segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands donated to the State of California by an Act of Congress, approved May thirteenth, eighteen hundred and sixty-one. Parks.....	235	254, 271, 280, 392, 399, 415, 461	277	364
198	An Act in relation to the Collection of Poll Taxes in the City and County of San Francisco. Clark.	236	258	248	291
199	An Act to provide for Salaries of the Judiciary. Judiciary Committee.....		247, 253, 269, 286	296	464
200	An Act to amend an Act entitled an Act to regulate the Settlement of the Estates of Deceased Persons, passed May first, eighteen hundred and sixty-one, and the Acts of May twentieth, eighteen hundred and sixty-one, amendatory thereof. Perkins.....	241	249	270	500
201	An Act to authorize the construction and maintenance of a Wharf in the County of Contra Costa. Porter of Contra Costa.....	241	325	335	415
202	An Act to define the Boundary of Sierra County, to collect certain Taxes, to transfer certain Records, and to legalize certain Civil Actions determined and pending in the Counties of Sierra and Plumas. Anderson.....	242			294
203	An Act to authorize the Board of Supervisors of Placer County to audit and allow the Claim of Geo. L. Anderson. Higgins.....	242	266	249	397

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Number	TITLE.	Introduced.....	Further Action	Passed Senate.	Passed Assem- bly.....
204	An Act supplementary to an Act entitled an Act to authorize Hiram Thorne and others to reconstruct and make a Wagon Road in the Counties of Contra Costa and Alameda, approved April sixteenth, eighteen hundred and sixty-two. Porter of Contra Costa.....	241	246	270	454
205	An Act concerning Official Fees in Tehama County. Doll.....	242	258, 292	271	493
206	An Act to provide for paying certain Demands issued on the Faith and Credit of the State, which became due and payable on the second of May, eighteen hundred and sixty-two, and to contract a Funded Debt for that purpose. Clark.....	242	391, 409, 442, 481, 490		
207	An Act to appropriate Money to pay the Claim of the San Francisco Gas Company. Parks.....	242	274	323	499
208	An Act to change the Venue in certain cases from the Courts of Justice of this State to the Federal Court. Perkins.....		261, 282		
209	An Act to provide for the better Defence of this State. Pacheco.....	247	291, 300, 308, 340, 341, 401		
210	An Act regulating the Fees of Office of Justices of the Peace and Constables in the County of San Joaquin. Chamberlain.....	246	286	270	343
211	An Act to repeal certain Acts. Gaskill.....	246	255, 271, 543.		
212	Proposed Amendments to the Constitution of the State of California. Porter of Santa Cruz.....	247	399, 442, 457, 490, 498, 542		
213	An Act to authorize the Guardian of certain Minor Children to convey their Real Estate. Pacheco...	247	255	271	313
214	An Act to amend Section Eighty of an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Doll.....	247	258, 271, 286, 298		493
215	An Act to provide for the Collection of Taxes in this State, on consigned goods. Chamberlain....	247	258, 284, 298, 319	328	532
216	An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of Public and Private Roads, approved May sixteenth, eighteen hundred and sixty-one. Doll.....	251	262, 282, 319	304	
217	An Act respecting the Compensation of Inspectors of Stamps residing in the City of San Francisco. Doll.....	251	284, 308, 318		
218	An Act to amend an Act entitled an Act concerning Public Ferries and Toll Bridges, passed April twenty-eighth, eighteen hundred and fifty-five. Doll.....	251	308, 318, 330	340	530

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Number	TITLE.	Introduced	Further Action	Passed Senate..	Passed Assembly
219	An Act amendatory of and supplementary to the Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, and of Acts amending the same. Van Dyke.....	251	261, 319, 503, 505	282	500
220	An Act to appropriate Money for the Geological Survey of the State. Oulton.....	251	503	270	500
221	An Act granting parties therein named the right to construct a Wagon Road from Cloverdale, in Sonoma County, to the McDonald House, in Mendocino County. Holden.....	251	255	271	313
222	An Act to authorize P. S. Palmstream to establish, keep up, and maintain a Public Ferry across Big River, in Mendocino County, near the Big River Mills. Holden.....	251		270	337
223	An Act to authorize the Board of Levee Commissioners of the City of Sacramento to improve the Navigation of the River in front of the city, and for other purposes. Nixon.....	251	353	353	493
224	An Act concerning Grand and Trial Jurors, and to repeal an Act entitled an Act concerning Jurors, passed May third, eighteen hundred and fifty-two, and Acts amendatory and supplementary thereto. Burnell.....	251	331	388	530
225	An Act for the Relief of S. M. Mouser. Committee on Claims.....	259		271	454
226	An Act to provide for the Support of the Government of this State. Holden	259	308, 318, 421		
227	An Act to provide for the maintenance of the Indigent Sick of Sonoma County. McNabb	259		271	454
228	An Act for the better protection of Private Property in certain counties of this State. Wallis.....	259		271	493
229	An Act to authorize the issuance of a duplicate School Land Warrant to Henry W. Peck. Porter of Santa Cruz	259	273, 318	319	478
230	An Act to extend the provisions of an Act entitled an Act concerning Hogs found running at large in certain counties to the Townships of Sonoma and Vallejo. McNabb.....	259		271	454
231	An Act supplementary to an Act concerning Crimes and Punishments, passed April sixteenth, eighteen hundred and fifty. Shurtleff.....	258	266, 284, 300	308	407
232	An Act to provide for the formation of Trial Juries for the District Court in and for the County of Contra Costa. Porter of Contra Costa.	263	331, 389		
233	An Act to amend an Act entitled an Act regulating Marriages, passed April twenty-second, eighteen hundred and fifty, and an Act amendatory thereof,				

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Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	passed April twenty-sixth, eighteen hundred and sixty-two. Wallis.....	263	325, 349, 403		
234	An Act fixing the Pay for Mileage of State, County, Township, City, and City and County Officers, in certain cases. Doll.....	263	308, 333	334	
235	An Act to provide for the maintenance and supervision of Public Schools, and to repeal former Acts concerning the same. Committee on Education.....	263	281, 327, 339	297	326
236	An Act to transfer certain Funds, and provide for the Appropriation thereof. Crane.....	265	351, 370	370	451
237	An Act to amend an Act entitled an Act conferring certain Powers upon Guardians of Insane Persons, passed March twenty-seventh, eighteen hundred and fifty-eight. Perkins.....	265	279, 330	323	531
238	An Act to authorize the Oakland and San Antonio Steam Navigation Company to build and maintain a Wharf and Ferry Landing in the City and County of San Francisco. Crane.....	269	304, 458, 473	319	454
239	An Act to provide for the Sale of all the Lands belonging to the State. Porter of Contra Costa..	269	357, 379, 501, 503, 518	409	477
240	An Act to authorize the Board of Supervisors of Calaveras County to subscribe Twenty-Five Thousand Dollars to the Capital Stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same. Lewis.....	269		412	493
241	An Act appropriating money to pay the Claim of H. C. Stockton. Committee on Claims.....	280		318	466
242	An Act appropriating money to pay certain Claims. Committee on Claims.....	281	391, 469	324	455
243	An Act to authorize William Kohl and his associates to establish and maintain a Steam Ferry. Porter of Contra Costa.....	281	325, 385		451
244	An Act to ascertain the Indebtedness of Nevada County to Yuba County, and to provide for the payment of the same. Cunningham.....	281	336, 390, 395		
245	An Act concerning the Records and Papers in the Office of the County Clerk of Placer County. Higgins	281	383, 404	428	507
246	An Act to authorize the County of Placer to subscribe to the Capital Stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto. Harriman	281	287, 308		349
247	An Act supplementary to an Act entitled an Act to incorporate the Town of Petaluma, approved April twelfth, eighteen hundred and fifty-eight, and				

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Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	amendments to the same, approved April eleventh, eighteen hundred and fifty-nine. McNabb.....	281	288, 329	360	466
218	An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Amador County to levy a special Tax and create a Redemption Fund for the payment of outstanding Road Warrants in said County. Burnell.....	283	316		313
249	An Act to amend an Act entitled an Act amendatory and supplementary to an Act concerning Crimes and Punishments. McNabb.....	283	300, 318		
250	An Act providing for a Camp of Military Instruction in this State. Higgins.....	291	418, 423		
251	An Act supplementary to and amendatory of an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplementary thereto. Burnell.	291	363, 433, 440		
252	An Act to amend an Act to regulate proceedings in Civil Cases in the Courts of Justice in this State. Chamberlain.....	291	299, 330	318	383
253	An Act to authorize Edward Gallagher, James Gallagher, and their associates and assigns, to lay down Water Pipes in the Town of Aurora, County of Mono. Cavis.....	291		317	464
254	An Act concerning Roads and Highways in the County of San Mateo. Hathaway.....	295		395	478
255	An Act supplemental to an Act entitled an Act supplemental to an Act to incorporate a State Agricultural Society, approved May fifteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-two. Parks.....	296	325, 384	361	383
256	An Act creating a Board of Commissioners to revise and codify the laws of this State. Shannon.....	296	331, 389		
257	An Act amendatory of and supplemental to an Act entitled an Act supplemental to an Act for the education and care of the indigent Deaf, Dumb, and Blind in the State of California, approved April eighteenth, eighteen hundred and sixty, approved March twenty-ninth, eighteen hundred and sixty-one. Parks	296	324, 372, 374, 438, 457, 474, 475, 480, 486, 507	344	
258	An Act concerning publication of Legal Advertisements. Shurtleff.....	295	331, 389, 531		
259	An Act to define and establish the Eastern Boundary of the State of California. Shannon.....	296	493	361	478
260	An Act supplemental to an Act entitled an Act to provide for the construction of a Wagon Road by the Board of Supervisors of Tehama County. Doll	296	319		338

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Number.....	TITLE.	Introduced.....	Further Action	Passed Senate.	Passed Assembly.....
261	An Act to provide for the compensation of the School Directors of the City and County of San Francisco. Perkins.....	296	101, 442		
262	An Act to incorporate the City of Sacramento. Nixon.....	296		324	377
263	An Act to legalize the survey of Green's Addition to the Town of Santa Rosa, Sonoma County. McNabb.....	296	332	389	430
264	An Act to extend the provisions of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to grant the right of way for the construction of a Turnpike Road to the County of Monterey. Porter of Santa Cruz.....	302		361	
265	An Act to authorize Rafaela Rodriguez de Villa, parent and Guardian of Antonio Villa, a minor, to sell the Real Estate of said minor at private sale. Porter of Santa Cruz.....	302	330	318	383
266	An Act in relation to the construction of Canals, and for draining and reclaiming certain Swamp and Overflowed Lands in Tulare Valley. Baker.....	302	326	344	520
267	An Act to amend an Act entitled an Act to authorize Joseph B. Price and his associates to construct and maintain a Turnpike Road in the Counties of Sonoma and Mendocino. McNabb.....	303	335, 390	436	448
268	An Act to legalize certain Contracts, and to provide for the enforcement thereof. Gaskill.....	303	405, 414 450		
269	An Act to authorize the Board of Supervisors of Humboldt County to levy a special Tax. Van Dyke.....	303	330		377
270	An Act for the preservation of information relating to the History of this State. Abell.....	304	318, 361, 371	372	
271	An Act to authorize the Administrator of the Estate of Fanny E. Gillespie, deceased, to sell and convey Real Estate. Booth.....	316		329	466
272	An Act to protect Purchasers of Real Estate from the unlawful acts of Married Women. Clark.....	316	331, 389		
273	An Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a Wagon Road in the Counties of Butte and Plumas. Gaskill.....	316	324	357	377
274	An Act to provide for uniting the Offices of County Clerk and Auditor in Calaveras County. Higby.	327	349	398	429
275	An Act to amend an Act entitled an Act concerning Judges of the Plains, and defining their duties, passed April twenty-fifth, eighteen hundred and fifty one. Wallis.....	327		361	425
276	An Act to authorize the California Central Railroad Company to hold an Election. Cunningham.....	333			338

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277	An Act making Appropriation for the Contingent Fund of the Senate for the Thirteenth Session of the Legislature. Perkins.	333	370, 404		
278	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State. Crane.....	333	424, 432		530
279	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State. Crane.	333	474, 490		
280	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory and supplementary thereto. Wallis.....	333	346, 503, 524, 535, 544	397	502
281	An Act to amend an Act entitled an Act for the relief of Insolvent Debtors and protection of Creditors, approved May fourth, eighteen hundred and fifty-two, and the Acts amendatory thereto, approved April twenty-seventh, eighteen hundred and sixty. McCullough.....	333		390	529
282	An Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts concerning the same, and to confer further powers upon the Auditor and Treasurer of the City and County of San Francisco. Hathaway..	333		454	500
283	An Act to authorize the Trustees of Petaluma School District to levy a Tax for School Purposes. McNabb.....	339		390	415
284	An Act to provide for the Time of Holding the several Courts of Record in this State. Van Dyke..	339	402, 535	398	541
285	An Act to enable Jesus Maria Soto and C. Mariano to sell and convey or make partition of their Real Estate, and removing their disability from nonage. Crane.. ..	339			499
286	An Act to provide for an Increased Pay to the California Volunteers. Porter of Santa Cruz.....	339	391, 416		
287	An Act concerning Trial Jurors and Jury Trials, and fixing the Fees of Trial Jurors in the County of Butte. Gaskill.....	339		481	
288	An Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their powers, passed March twentieth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplementary thereto. Wallis.....	341	346, 397		

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Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
289	An Act to authorize the Board of Supervisors of the County of Alameda to take and subscribe Two Hundred and Twenty Thousand Dollars to the Capital Stock of the Alameda Valley Railroad Company. Crane.....	344			425
290	An Act to amend an Act to create a Board of Supervisors in the counties of this State, approved March twentieth, eighteen hundred and fifty-five. McCullough.....	344			358
291	An Act to appropriate the sum of eighteen thousand five hundred and ninety dollars, saved by the payment of the State's quota of the National Tax in Treasury Notes, in recruiting and raising the Volunteers recently called for by the Proclamation of the Governor. Birdseye.....	344	418, 482		
292	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. McCullough.....	344	370, 404	435	
293	An Act amendatory of and supplementary to an Act entitled an Act to regulate the Settlement of the Estates of Deceased Persons. Perkins.....	347	373	404	
294	An Act amendatory of and supplementary to an Act entitled an Act concerning Jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one. Perkins.....	347	369	481	493
295	An Act supplemental to and explanatory of an Act entitled an Act to allow James E. Nuttman, Marcus Harlow, and their assigns, to construct and maintain a Toll Road in the County of San Mateo, passed March twenty-sixth, eighteen hundred and sixty-three. Wallis.....	347	353		377
296	An Act to prevent the fraudulent Conveyance or Encumbrance of Real Estate by Married Women. Wallis.....	347	391	416	502
297	An Act to provide for the better Protection of Orchards, Vineyards, and Nurseries, and Gardens. Wallis.....	347	400	400	
298	An Act concerning the office of County Clerk in Yolo. Powers.....	348		483	377
299	An Act concerning Official Publications for the County of Yolo. Powers.....	348			364
300	An Act concerning the office of District Assessor in the County of Yolo. Powers.....	348			377
301	An Act to authorize the persons therein named, their associates, successors, and assigns, to improve and use the Truckee River. Higgins.....	347	398, 442		

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303	An Act to authorize the Board of Supervisors of Butte County to loan certain Money. Gaskill....	355			393
304	An Act to provide for the Construction of a State Capitol Building in the City of Sacramento. Oulton.....	355		398	430
305	An Act in relation to the Terms of the District Court in the Eleventh Judicial District. Higgins.....	355		398	478
306	An Act providing for the Government of the County of Sacramento. Booth.....	359	426		464
307	An Act to amend an Act entitled an Act concerning Roads and Highways in the County of Mariposa, approved April tenth, eighteen hundred and sixty-two. McCullough.....	359			377
308	An Act authorizing the Board of Supervisors of Butte County to appropriate Money. Gaskill.....	359			393
309	An Act to regulate certain Fees in Office in Calaveras County. Higby.....	359			377
310	An Act to divide the State into Congressional Districts, and to fix the time for electing Representatives to Congress. Shurtleff.....	359	391, 396, 444, 481	425	
311	An Act to provide for an increase of pay of Volunteers in the service of the United States mustered into service in this State, and to create a Fund for the payment of the same. Oulton.....	360	403, 440, 496, 509		
312	An Act to repeal an Act entitled an Act to establish the Boundary Line between the Counties of Monterey and San Luis Obispo, approved May thirteenth, eighteen hundred and sixty-one. Porter of Santa Cruz.....	360	383	404	415
313	An Act to authorize the Western Pacific Railroad Company to change the <i>termini</i> and Route of their Railroad, and other matters relating thereto. Wallis.....	360	388, 400, 442		
314	An Act amendatory of an Act to incorporate the Town of Columbia. Cavis.....	361			377
315	An Act to extend the time for the Construction of a Railroad in Contra Costa County. Harvey.....	361		374	421
316	An Act to amend an Act concerning Public Ferries and Toll Bridges, passed April twenty-eighth, eighteen hundred and fifty-five. Doll.....	361	369, 524	395	541
317	An Act supplementary to and to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March				

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Number	TITLE.	Introduced	Further Action	Passed Senate.	Passed Assembly
	twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two. Crane.....	366	371	398	430
318	An Act to authorize the San Francisco and Alameda Railroad Company to construct and maintain a Wharf at the western end of the Encinal of San Antonio, in Alameda County. Crane	366	371, 403		430
319	An Act amendatory of and supplementary to an Act entitled an Act amendatory of an Act entitled an Act authorizing the Treasurer of State to issue Bonds for the payment of Expenses incurred in the suppression of Indian Hostilities. Oulton....	366	436	450	542
320	An Act to amend an Act in relation to the Militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two. Higby.....	366	418, 483		
321	An Act to provide for the Leasing and Maintenance of Wharves belonging to this State in the Harbor of San Francisco. Porter of Santa Cruz.....	367	414, 424		
322	An Act to make certain offices in the County of Calaveras salaried offices. Higby.....	366	385	385	430
323	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Nixon.....	366	528, 543		
324	An Act to provide for the levying of a Tax, and for the construction of a Wagon Road from the Town of Washington, in Yolo County, to a point at or near the Tule House, in said county. Nixon	366	507	453	
325	An Act to amend an Act entitled an Act to give to the proceedings of Courts of Probate the same effect as Courts of general jurisdiction, passed March twenty-seventh, eighteen hundred and fifty-eight. Hathaway.....	366	373	428	
326	An Act to change the name of William Henry English. Hathaway.....	366			377
327	An Act to authorize the election of Deputy Assessor for the City of Marysville. Cunningham.....	366	384, 395, 410, 424	366	383
328	An Act to provide for the protection of the Water Front of the City of San Francisco. Porter of Santa Cruz.....	367			
329	An Act to protect the Creditors of Corporations. Birdseye.....	367	426, 483		
330	An Act to authorize the Board of Supervisors of Plumas County to levy a Special Tax for the purposes therein named. Shannon.....	367		398	448
331	An Act supplementary and amendatory of an Act to provide for the construction of a Wagon Road				

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Number	TITLE.	Introduced	Further Action	Passed Senate..	Passed Assembly
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332	An Act to provide for the submission of the proposed Amendments to the Constitution of the State, as proposed by the Legislature of eighteen hundred and sixty-two, and agreed to by the Legislature of eighteen hundred and sixty-three, to the People at the next General Election. Van Dyke.	368	505, 534		
333	An Act to direct the Controller of State in drawing his Warrants. Parks.....	379		379	467
334	An Act fixing the time for holding the Terms of the District Court in Lake County. Holden.....	379		379	430
335	An Act to authorize P. K. Austin and his associates to construct and maintain a Turnpike Road from the Town of San Rafael to Point San Quentin, and to charge and collect Tolls for travel thereon. Porter of Contra Costa.....	388		442	501
336	An Act supplementary to an Act to authorize the Board of Supervisors of Trinity County to levy a Toll. Shurtleff.....	338			415
337	An Act to amend an Act to provide for the Incorporation of Railroad Companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one. Wallis.....	338	400, 414, 425	436	530
338	An Act to authorize the issue of Duplicates of certain Land Warrants to Charles B. Grant. Committee on Claims.....	392		432	
339	An Act to authorize the Board of Supervisors of Stanislaus County to subscribe Twenty-Five Thousand Dollars to the Capital Stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto. McCullough.....	395		395	410
340	An Act to declare the operation and effect of certain Deeds of Confirmation and Further Assurance. Crane.....	402	432, 483		
341	An Act to provide for a State Gauger. Gaskill.....	402	424, 482 511		
342	An Act to amend Section Two of an Act entitled an Act extending the privileges of the Homestead Law to certain persons, and to regulate the creation of the same, approved March thirteenth, eighteen hundred and sixty. Perkins.....	408	424, 482	488	
343	An Act to punish persons sympathizing with Traitors. Perkins.....	408	424, 482	482	541
344	An Act to pay certain Claims. Committee on Claims.....	412		482	542

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346	An Act to confer further powers upon the Board of Supervisors of Lake County. Holden.....	413			430
347	An Act to authorize A. W. McPherson, and his associates and assigns, to construct a Wharf in San Francisco. Perkins.....	413	526, 543		
348	An Act to appropriate money for the purpose of aiding in the Construction of the Monument to the late Hon. David C. Broderick. Shannon.....	427			430
349	An Act to regulate Primary Elections and to punish Frauds thereat. Shannon.....	428	433, 488		
350	An Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto. Gaskill.....	428	432	483	542
351	An Act in relation to the Election of District Tax Collectors and Assessors in Placer County. Harriman	429			455
352	An Act to pay the Claim of Gregory Yale. Oulton	435	503	483	
353	An Act to authorize the Board of Supervisors of El Dorado County to lease the Branch Wagon Road in said county for a term of years. Saxton.....	439		440	478
354	An Act to authorize the Board of Swamp Land Commissioners to allow the claim of George R. Moore. Committee on Swamp and Overflowed Lands.....				541
355	An Act to confer further powers and duties upon certain officers. Kutz.....	450			
356	An Act amendatory of an Act entitled an Act amendatory of an Act entitled an Act to repeal the several Charters of the City of San Francisco, to establish the Boundaries of the City and County of San Francisco, and to consolidate the Government thereof, approved the nineteenth of April, eighteen hundred and fifty-six, and repealing Sections Thirty-Six to Sixty-Four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Four, approved April twenty-fifth, eighteen hundred and sixty-two. Perkins.....	450			
357	An Act making an Appropriation for the payment of the Claim of Peter E. Farrell. Committee on Claims	452	489		
358	An Act granting the Right of Way and to encourage the construction of a Line of Telegraph from				

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359	An Act to appropriate money to pay certain Claims. Committee on Claims.....	453	489	517	542
360	An Act to confer further powers upon the Buena Vista Vinicultural Association. Doll.....	456			467
361	An Act extending the time for J. R. Vineyard and his assigns to construct a Toll Bridge across Yuba River, at or near Parks' Bar, in Yuba County. Perkins.....	457			531
362	An Act amendatory of an Act entitled an Act to re- peal an Act to regulate the Fire Department of the City of San Francisco, approved April thir- tieth, eighteen hundred and fifty-five, and to fix the Salaries of certain Officers of the Fire Depart- ment of the City and County of San Francisco, approved April twenty-first, eighteen hundred and fifty-eight. Hathaway	457			
363	An Act making County Warrants drawn on the Gen- eral Fund of Tulare County receivable in pay- ment for County Taxes. Baker.....	458	493		
364	An Act to organize the Fire Department of the Town of Santa Rosa. McNabb.....	503			530
365	An Act to appropriate money to pay Contingent Ex- penses of the Fourteenth Session of the Legisla- ture. Perkins.....	517			529
366	An Act to authorize the consolidation of the Islas and Salinas Water Company and the Crystal Springs Water Company with the Spring Valley Water Company in San Francisco. Harriman.	533			
367	An Act to authorize the Sacramento and Placer Railroad Company to sell their Road. Abell.....	533			542

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9	Relative to indefinite leave of absence to members. Porter of Contra Costa.....	120
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Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
1	An Act to authorize the Supreme Court to admit J. B. Hereford as an Attorney in said Court. Estee	73	98, 102, 202, 289, 300		
2	An Act to enable the City and County of San Francisco to make Grants of Lands in a certain manner, and to perfect and quiet Land Titles in said city and county. Swift.....	83	98, 99, 676, 687, 710		
3	An Act to authorize the County of San Joaquin to issue Bonds for Agricultural uses. Keys.....	83	102, 139, 162	107	139
4	An Act to extend the time for collecting Taxes in the Counties of San Francisco and Los Angeles. Allen.....	87	92, 162, 166, 172		
5	An Act to provide for the better collection of Foreign Miners' Licenses in the Counties of El Dorado, Amador, and Placer. Fitch	87			
6	An Act to amend an Act entitled an Act concerning Crimes and Punishments, passed April sixteenth, eighteen hundred and fifty. Warwick.....	87	290, 336		
7	An Act to amend Section Thirty-Nine of an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-eighth, eighteen hundred and fifty-one, as amended by an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed May fifteenth, eighteen hundred and fifty-four. Warwick	87	290, 336		
8	An Act to transfer certain Funds. Ames.....	91	100, 101, 102, 110	104	106

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
9	An Act to authorize the Board of Supervisors of the County of El Dorado to subscribe Two Hundred Thousand Dollars to the Capital Stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto. Sanderson...	92	254, 297	266	367
10	An Act to authorize the Common Council of the City of Placerville to subscribe One Hundred Thousand Dollars to the Capital Stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto. Sanderson.....	92	254, 277, 356	266	327
11	An Act to amend an Act entitled an Act to provide for the collection and payment of the quota of the Direct Tax apportioned to this State by an Act of Congress, entitled an Act to provide Increased Revenue from Imposts to pay interest on the Public Debt, and for other purposes, passed August fifth, eighteen hundred and sixty-one, passed April twelfth, eighteen hundred and sixty-two. Smith of Butte.....	92	150, 160		
12	An Act to provide a Fund for the redemption of and prescribing the manner of redeeming the outstanding County Warrants drawn upon the Treasury of Tuolumne County, and further to provide for the payment of all the current expenses of said Tuolumne County in cash. Lux.....	92	146, 180	157	168
13	An Act providing for a Commissioner to revise and codify the Statutes of this State. Yule	92	278		
14	An Act to liquidate the Claim of George E. Drew for surveying the Boundary Line of a portion of San Joaquin County annexed to Stanislaus County. Keys.....	92	161, 202, 226		
15	An Act to provide for the construction of a Wagon Road by the Board of Supervisors of Tehama County. Butler.....	92	95, 96, 97, 110	97	103
16	An Act to extend the Rights and Privileges of the San Francisco City Water Works. Dodge.....	92	454, 484	464	534
17	An Act to re-district the County of Santa Clara, and provide for the election of Supervisors. J. J. Owen.....	95	99, 101, 102, 328	104	
18	An Act to provide for the maintenance, government, and discipline of the State Prison of the State of California. Sears.....	95			
19	An Act to extend the provisions of an Act entitled an Act authorizing the District Attorneys of the Counties of Mariposa and Sutter to appoint Deputies to the District Attorney of the County of Tulare. Freeman.....	95	102, 107, 112, 209, 212, 217, 228, 270		

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
20	An Act to repeal an Act entitled an Act concerning certain Salaries and Fees of Office in the County of Monterey, approved April nineteenth, eighteen hundred and sixty-two. Castro.....	97	99, 361, 689	100	
21	An Act for the payment of expenses incurred in the execution of certain Writs of Restitution in the County of Sonoma, in this State. Rider	97	98, 102, 180	100	169
22	An Act to create the Aurora City Gas Company. Orr	97	145, 157, 263, 272, 308.	332	388
23	An Act concerning the Independent Order of Good Templars. Haswell	100	180, 193, 233, 248	259	388
24	An Act supplemental to an Act entitled an Act to provide for a Railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two. Smith of Sierra.	100	385, 651		
25	An Act supplementary to and amendatory of an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one. Dore.....	103	509, 697		
26	An Act to amend Section Sixteen of an Act entitled an Act concerning Jurors, approved May third, eighteen hundred and fifty-two, and to amend Section Two of an Act amendatory to said Act, approved May third, eighteen hundred and fifty-two, passed January twenty-eighth, eighteen hundred and fifty-four. Fitch.....	103	150, 160, 161		
27	An Act to amend an Act concerning the Courts of Justice of this State, and Judicial Officers, passed May nineteenth, eighteen hundred and fifty-three. Duncombe	103	506	508	
28	An Act to amend an Act entitled an Act for the relief of Purchasers of Swamp and Overflowed, Salt Marsh, and Tide Lands. Adams.....	103			
29	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five, approved April twenty-eighth, eighteen hundred and sixty. Blanchard.....	103			
30	An Act to extend the provisions of an Act entitled an Act concerning Hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara. Moore.....	103	113, 137, 217, 251, 253, 267	133	
31	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved April twenty-eighth, eighteen hundred and sixty. Barton	107	112, 137	133	

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Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
32	An Act to amend an Act prescribing Rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one. Barton.....	107	109, 141, 148, 171, 176, 407	184	
33	An Act to prohibit Gaming. Banks.....	107	262, 272, 314, 340		
34	An Act to fund the Indebtedness of the County of San Bernardino now existing in the form of County Auditor's Warrants, or that may be outstanding on the first day of July, A. D. eighteen hundred and sixty-three, or Warrants issued for Indebtedness accruing prior to the first day of July, eighteen hundred and sixty-three, and to provide for the payment of the same. Allen.....	107	108, 138, 148		
35	An Act to authorize the Board of Supervisors of Santa Clara County to have certain Spanish Records translated into English. J. W. Owen.....	109	111, 113, 137, 139	135	158
36	An Act fixing the Salaries and Fees of certain Officers in San Bernardino County. Allen.....	109	111, 142, 148, 161, 210	166	182
37	An Act to prohibit Empericism and Quackery in the practice of Medicine. Wright of Del Norte..	109	111, 177, 184		
38	An Act to amend an Act entitled an Act in relation to the Militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two. Wheaton.....	109	111, 241, 265		
39	An Act to amend an Act amendatory of and supplementary to an Act to provide Revenue for the Support of the Government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, approved April nineteenth, eighteen hundred and fifty nine. Wheaton.....	109	111, 162, 172, 175, 188, 190, 288	188	258
40	An Act in relation to the Office of Assessor in the City and County of San Francisco. Wheaton.....	109	111, 695, 707		
41	An Act to extend the provisions of an Act entitled an Act concerning Lawful Fences in the Counties of San Bernardino, Colusa, Shasta, Tehama, and Placer, approved April fifteenth, eighteen hundred and fifty-nine. Sargent.....	109	111, 113, 134, 137	141	560
42	An Act concerning the School Fund of the State of California. J. J. Owen	112	131, 157, 216, 233, 248, 376	259	
43	An Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe Fifty Thousand Dollars to the Capital Stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same. Keys.....	112	131, 222, 261	251	368
44	An Act to amend an Act entitled an Act for the collection of Delinquent Taxes in the several counties of this State. Smith of Sierra.....	112	131, 188		

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
45	An Act to pay the Claim of J. M. Anderson, for copying done during the Twelfth Session of the Assembly. Estee.....	112	131, 175, 626, 659		
46	An Act concerning State and County Treasurers and Revenue Collectors. Smith of Butte.....	132	145, 157, 321		
47	An Act to amend an Act entitled an Act defining the time for commencing Civil Actions, passed April twenty-second, eighteen hundred and fifty. J. W. Owen	132	373, 382, 448	429	560
48	An Act to provide for the appointment of District Court Commissioners in the several counties of this State. Banks.....	132			
49	An Act to authorize the Guardian of Sarah Ann Harlan and George Harlan to sell the Real Estate of said minors. Sutton.....	132	142, 148		
50	An Act to authorize the Guardian of George Vangorden, a minor, to sell the Real Estate of said minor. Sutton.....	132	142, 148		
51	An Act to authorize the Guardian of Mary Irene Huff and William Huff, minors, to sell the Real Estate of said minors. Sutton.....	132	142, 148		
52	An Act to authorize the Guardian of Edward Lewis Musgrave, Ellen Elizabeth Musgrave, and Florine Musgrave, minors, to sell the Real Estate of said minors. Sutton	132	142, 148		
53	An Act to authorize William F. Nelson and his associates to lay down and maintain a Railroad within the City and County of San Francisco. Ames.....	133	136, 470, 492, 500, 510, 516, 537	517	578
54	An Act to authorize the Board of Supervisors of Trinity County to levy a Toll on certain Roads in said county. Personette.....	132	141, 142, 220	148	209
55	An Act supplemental to an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five. Rider.....	132	145, 160, 165, 658	171	
56	An Act to authorize A. W. Von Schmidt and his associates to lay down Gas Pipes in the City of San Francisco. Sutton	132	272, 278, 829, 410, 438, 542, 550, 579	288	407
57	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty. Burr.....	132	343, 412		
58	An Act amendatory of and supplemental to an Act entitled an Act amendatory of an Act entitled an Act authorizing the Treasurer of State to issue Bonds for the payment of Expenses incurred in the suppression of Indian Hostilities in certain counties of this State, approved April twenty-fifth,				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
	eighteen hundred and fifty-seven, and the several Acts amendatory thereof. Fitch.....	132	238, 265		
59	An Act concerning the Fees of the Tax Collector of the City and County of San Francisco, and the collection of the Delinquent Taxes in the Fiscal Years eighteen hundred and fifty-six and eighteen hundred and fifty-seven, eighteen hundred and fifty-seven and eighteen hundred and fifty-eight, and eighteen hundred and fifty-eight and eighteen hundred and fifty-nine. Banks.....	133	222, 251, 254	264	533
60	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act in relation to Personal Mortgages in certain cases, passed March eleventh, eighteen hundred and sixty-three, approved April twenty-eighth, eighteen hundred and fifty-seven, and Acts amendatory thereof. Dudley of Placer.....	137	150, 160, 165	171	533
61	An Act to allow the County Clerk of Stanislaus County to reside out of the county. Wilcox.....	136	161, 172, 176, 201	184	196
62	An Act amendatory of an Act entitled an Act concerning Crimes and Punishments, passed April sixteenth, eighteen hundred and sixty. Yule.....	140	148, 342	421	
63	An Act to exempt certain Property of the Esmeralda Rifles from taxation. Orr.....	140	254, 268	267	407
64	An Act creating a Current Expense Fund for the County of Mono. Orr.....	140	181, 194, 261	193	245
65	An Act to regulate the Fees of the County Clerk of El Dorado County in Civil Cases. Sanderson....	140	211, 252, 261	271	426
66	An Act to legalize the purchase of the Building and Lot by the Board of Supervisors of San Bernardino County of Charles Glasser, for a County Prison, and to set the same aside for a Court House. Allen.....	140	150, 160, 161, 210	166	187
67	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Robinson.....	147	175, 188, 195		
68	An Act to authorize the Board of Supervisors of San Bernardino County to levy a Special Tax. Allen.....		149, 210	157	187
69	An Act to amend an Act entitled an Act to amend Sections Thirty-Two and Thirty-Eight of an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May fourteenth, eighteen hundred and sixty-two. Robinson.....	147	175, 188, 195		
70	An Act to amend an Act entitled an Act relating to the levying of Taxes, approved May fifteenth, eighteen hundred and sixty-two. Robinson.....	147	175, 188, 195, 222, 679, 686	220	

Number	TITLE.	Introduced ...	Further Action	Passed Assembly	Passed Senate.
71	An Act to authorize S. Spencer, T. O. Simpson, and their associates, to construct a Toll Bridge across the Yuba River, at or near Sand Flat, in Yuba County. Adkison.....	147	167, 174, 180, 408, 417, 459	187	388
72	An Act to amend an Act entitled an Act to amend an Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-six. Swift	147	414, 574		
73	An Act dividing the State into Judicial Districts. Swift	147			
74	An Act concerning Roads and Highways in the County of Shasta. Chappell.....	147	268, 308	281	399
75	An Act to extend to the County of Sutter the provisions of an Act entitled an Act to organize Townships, and regulate their Powers and Duties, and submit the same to the People, approved May fifteenth, eighteen hundred and sixty-two. Haswell	147	255, 267, 283, 399, 427, 453	292	458
76	An Act to audit and allow the Claim of J. H. Sullivan and E. C. Cromwell. Farley.....	147	207, 600, 602, 616	602	690
77	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty, and other Acts amendatory and supplementary thereto. Barclay.....	147	343, 421		
78	An Act to provide for the Construction of a Wagon Road in Tulare County. Freeman.....	147	217, 233, 242, 259		
79	An Act to authorize Chas. Raymond to remove the Remains of Deceased Persons. Whipple.....	148	176, 189		
80	An Act authorizing H. H. Buhne and others to erect and maintain a Wharf in Humboldt County. Whipple.....	148	355, 545,	524	
81	An Act making Legal Tender Notes and other Notes of the United States receivable for Taxes and other dues. Whipple.....	156	291, 336		
82	An Act concerning Courts of Justice in certain cases. Estee.....	156	176, 189, 190, 294	193	258
83	An Act for authorizing the payment of a Salary to the Supervisors of the City and County of San Francisco. Deeth.....	156	263, 272, 277, 293		
84	An Act to provide for the better keeping, protection, and disbursement of Public Moneys. Judiciary Committee.....		161, 366	172	345
85	An Act amendatory of an Act to regulate Elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory and supplementary thereto. Warwick.....	159	176, 189		

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Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
86	An Act to amend an Act to provide Revenue for the Support of the Government of this State, passed May fifteenth, eighteen hundred and fifty-four. Wheaton.....	159	240, 266, 294, 338, 362, 620. 647	372	495
87	An Act to amend an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to compromise and settle certain Claims to Real Estate, and to convey such Real Estate pursuant thereto, approved April fourteenth, eighteen hundred and sixty-two. Wheaton.....	159	263, 272		
88	An Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Wheaton.....	159	230, 259, 262	271	388
89	An Act to authorize the removal of Human Remains in Sonoma County. Deeson.....	159	176, 189		
90	An Act concerning Dance Houses and other Places of Public Amusements. Blanchard.....	159	283, 307, 340, 358, 360, 392	295	
91	An Act amendatory of and supplementary to an Act concerning Crimes and Punishments, passed April sixteenth, eighteen hundred and fifty, and the several Acts amendatory thereof and supplementary thereto. Banks.....	163	227, 260, 290, 699, 773	332	591
92	An Act to provide for Special Elections for Superintendents of Public Instruction and Judicial Officers. Sanderson	163	176, 191, 314, 317, 356	187	304
93	An Act for the Relief of Gilbert R. Warren, Controller of State. Gunnison	163	237, 266, 283, 458	296	
94	An Act to amend an Act to establish an Asylum for the Insane. Rule.....	163	220		
95	An Act authorizing James Culbertson and his associates to construct a Turnpike Road and Bridge in the Counties of Nevada and Placer. Dudley of Placer.....	166	666, 694	677	
96	An Act to ratify and confirm a certain Ordinance passed by the Common Council of the City of Oakland, and approved by the Mayor of said city, November twentieth, eighteen hundred and sixty-one. Robinson.....	166	191, 225, 243, 291, 337, 377, 555	337	539
97	An Act to authorize the formation of Societies for the protection of Property. Ames.....	166	175, 189		
98	An Act for the employment of a Teacher and Moral Instructor to the Convicts in the State Prison. Ames.....	169	384, 641		
99	An Act to amend an Act entitled an Act concerning Corporations, passed April twenty-second, eighteen hundred and fifty, and the several Acts				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
	amendatory thereof and supplemental thereto. Sutton.....	169	185, 194 310	193	286
100	An Act to amend an Act entitled an Act to amend an Act entitled an Act authorizing and empow- ering the Board of Supervisors in and for the County of Butte to levy a Special Tax on all the taxable property in said county for Contingent Expenses, approved March tenth, eighteen hun- dred and fifty-nine, approved March fifth, eighteen hundred and sixty-two. Smith of Butte.	169	325, 434, 673	411	
101	An Act to amend an Act in relation to the Board of Supervisors in and for the County of Butte, and concerning their powers, approved April tenth, eighteen hundred and sixty-two. Smith of Butte.	169	325, 434	411	533
102	An Act to incorporate the Town of Downieville. Smith of Sierra.....	170	191, 242, 343	226	327
103	An Act to establish and regulate the Fire Depart- ment of the Town of Downieville. Smith of Sierra.....	171	191, 248, 331	226	327
104	An Act amendatory of and supplementary to an Act entitled an Act to regulate Proceedings in Crimi- nal Cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto. Sanderson.	170	278, 287, 329	336	388
105	An Act to amend an Act entitled an Act to encour- age the supply of Fresh Water on the Desert west of Fort Yuma. Allen.....	170	176, 189, 191, 206, 228, 250		
106	An Act appropriating money for the benefit of cer- tain Orphan Asylums in this State. Banks.....	170			
107	An Act to authorize the Administrator of the Estate of Minerva E. Haun, deceased, to sell and dis- pose of the Real Property and Chattels Real of said Estate. Sargent.....	170	176, 185, 202, 226		
108	An Act to provide Revenue for the Support of the Government of this State. Sargent.....	170	253, 267, 268		
109	An Act to amend an Act entitled an Act to provide for a Railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one. Fitch.....	170	353		
110	An Act to amend an Act to grant to certain persons the Right of Way for a Railroad Track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one. Fitch	170	353		
111	An Act to amend an Act entitled an Act to provide for Street Railroads within the City and County				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
	of San Francisco, approved April seventeenth, eighteen hundred and sixty-one. Fitch.....	170	353		
112	An Act to amend an Act entitled an Act to provide for a Railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two. Fitch.....	170	353		
113	An Act to amend an Act entitled an Act to grant the Right of Way for a Railroad Track within the corporate limits of the City and County of San Francisco, approved May fourteenth, eighteen hundred and sixty-two. Fitch.....	170	353		
114	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Allen.....		174, 603	174	
115	An Act to provide for the accommodation of Shipping in the Harbor of San Francisco. Banks.....	173	371, 618		
116	An Act supplementary to an Act to provide for a Street Railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to an Act to grant to certain persons the Right of Way for a Railroad Track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one. Kincaid.....	173	397, 399, 403, 410	404	425
117	An Act creating a Board of Commissioners to revise and codify the Laws of this State. Smith of Butte	173	278, 287		
118	An Act to create the office of Port and City Physician for the City and County of San Francisco, and to prescribe the duties thereof. Gunnison...	173	509, 614		
119	An Act to grant to P. Augustus Wood and his associates the right to lay down and maintain an Iron Railroad in the City and County of San Francisco, and to run Horse Cars thereon. Farley.....	174	695, 707		
120	An Act authorizing the Board of Supervisors of Sierra County to levy certain Taxes for County purposes. Smith of Sierra	173	183, 221	179	196
121	An Act to amend an Act entitled an Act to establish, support, and regulate Common Schools, and to repeal former Acts concerning the same, approved May third, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto. J. J. Owen	133	179, 190, 658	185	
122	An Act empowering the Boards of Supervisors in the several counties in this State to authorize the removal of Human Remains. Committee on Corporations	176	189, 191, 211	193, 225	217, 239

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Number.....	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
123	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of moneys by said Board. Dodge.....	178	418, 450	418	534
124	An Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe One Hundred Thousand Dollars to the Capital Stock of the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto. Keys.	178	344, 377	361	407
125	An Act to amend the Twenty-First Section of an Act entitled an Act to provide for the establishment, maintenance, and protection of Public and Private Roads, approved May sixteenth, eighteen hundred and sixty-one. Hill.....	178	181, 193, 194, 294	205	257
126	An Act to consolidate the School Funds of the City of San José. J. J. Owen.....	179	182, 207 283	193	257
127	An Act amendatory of an Act supplemental to an Act concerning Public Ferries and Toll Bridges, passed April twenty-eighth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto, approved April fourteenth, eighteen hundred and sixty-two. Banks	179	217, 233		
128	An Act to amend an Act entitled an Act to regulate the settlement of the Estates of Deceased Persons, passed May first, eighteen hundred and fifty-one, and other Acts amendatory thereto. Barstow.....	183	194, 239, 310	226	303
129	An Act to provide for a Railroad within the City and County of San Francisco. Barstow.....	183	470, 517, 529, 535	518	559
130	An Act to amend an Act entitled an Act to establish the lines and grades of Streets in the City and County of San Francisco, approved April thirtieth, eighteen hundred and sixty-two. Dodge...	184	676	706	
131	An Act to amend an Act entitled an Act to establish and maintain a State Normal School, approved May second, eighteen hundred and sixty-two. Dunne.....	184			
132	An Act to direct the Controller of State in relation to drawing his Warrants on the State Treasury. Sears.....	184	222, 251, 254	265	
133	An Act for the relief of Paul R. Hunt. Meyers....	184	457, 463, 474, 594		
134	An Act to authorize the Board of Supervisors of Tulare County to annul certain Bonds. Whipple	184	201, 261	193	245
135	An Act to authorize Solomon Miser and his associates to construct and maintain a Turnpike Road in Sacramento County. Estee.....	187	202, 226, 248, 356	259	346

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Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
136	An Act to authorize the Board of Supervisors of the County of Merced to levy an additional Tax for county purposes. Freeman.....	187	191, 201, 221	193	209
137	An Act to authorize Caleb S. Hobbs and others to build a Wharf for their own use on the New Potrero, in the City and County of San Francisco. D. re.....	187	355, 592	582	674
138	An Act amendatory of and supplemental to an Act entitled an Act to provide for Funding the Indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two. Ames.....	192	205, 585, 633	205	304
139	An Act to legalize and provide for the Collection of Delinquent Taxes in the several counties of this State. Smith of Sierra.....		191, 327	193	
140	An Act to provide for the Appointment of District Court Commissioners, to define their duties, and provide for their compensation. Swift.....	192			
141	An Act amendatory of and supplementary to an Act entitled an Act to regulate Proceedings in Criminal Cases, approved May first, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto. Wright of Contra Costa.....	192	393, 664		
142	An Act supplementary to an Act for the more effectual distribution of the Laws, Journals, and Public Documents of the State of California, approved May seventeenth, eighteen hundred and fifty-three. Barclay.....	192	239, 266, 283, 296		
143	An Act for the relief of James Osborn, County Treasurer of Klamath County. Wright of Del Norte.....	192	423, 616	599	693
144	An Act to amend an Act entitled an Act to amend an Act to regulate Marriages, passed April twenty-second, eighteen hundred and fifty. Burr.....	192	216, 234, 336, 342, 509	372	477
145	An Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof. Robinson.....		209, 222, 245, 263, 264, 291, 308	220	244
146	An Act to authorize the Garibaldi Gold and Silver Mining Company to change their principal place of business to San Francisco. Warwick.....	196	228, 260		
147	An Act to amend an Act entitled an Act to legalize certain Grants and Sales made by the Ayuntamiento of the Pueblo and the Mayor and Common Council of the City of Santa Barbara, of lands belonging to the said Pueblo and City, approved May fourteenth, eighteen hundred and sixty-one. Hill.....	196	207, 248, 295	232	270

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
148	An Act to re-locate the County Seat of the County of Marin by the qualified Voters of said County. Torrance.....	196	227, 262, 321	260	303
149	An Act to amend an Act entitled an Act in relation to the County Officers of Sierra County, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory of the same, approved April third, eighteen hundred and sixty-two. Smith of Sierra.....	197	226, 248, 343	259	327
150	An Act for the better and more permanent Support of the Hospital of the City and County of San Francisco. Dodge.....	197	670, 677		
151	An Act amendatory of and supplementary to an Act entitled an Act to fund the Indebtedness of the County of Los Angeles now existing in the form of County Auditor's Warrants, or that may be outstanding on the first day of July, eighteen hundred and sixty-one, or Warrants issued for Indebtedness accruing prior to the first day of July, eighteen hundred and sixty-one, and to provide for the payment of the same, approved April fifth, eighteen hundred and sixty-one. Kewen.....	197	226, 239, 310	251	303
152	An Act to amend an Act entitled an Act concerning Crimes and Punishments, passed April fifteenth, eighteen hundred and fifty, and of the several Acts amendatory thereof. Allen.....	197	290, 337		
153	An Act concerning Delinquent School and Highway Taxes. Barton.....	205	216, 252		
154	An Act to amend an Act entitled an Act to repeal an Act to incorporate the City of Sonoma, passed April fourth, eighteen hundred and fifty, approved April twenty-sixth, eighteen hundred and sixty-two. Dunne.....	205	334, 412, 434	470	486
155	An Act to enable the City and County of San Francisco to appropriate certain Funds to the payment of her Debts. Swift.....	205	240, 266		
156	An Act to authorize and direct the Board of Supervisors of the City and County of San Francisco to audit and allow certain Claims. Farley.....	205	263, 273		
157	An Act to provide for the inspection and sealing of Gas Meters and for the protection of Consumers of Illuminating Gas. Ames.....	213	435, 453, 715	649	715
158	An Act granting the right to construct and maintain a Railroad in certain Streets therein named in the City and County of San Francisco. Gunnison.....	213	470, 543, 551, 562	552	
159	An Act supplementary to and amendatory of an Act entitled an Act to provide for a Railroad within the City and County of San Francisco, approved				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
	April twenty-fifth, eighteen hundred and sixty. Sears.....	213	385, 399, 403, 410	404	425
160	An Act to confer certain powers upon the Board of Education of the City of Stockton, and to provide for the transfer of certain moneys from the School Fund of San Joaquin County to the School Fund of the City of Stockton. Keys.....	213	240, 266, 290	332	388
161	An Act to amend an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City and County of San Francisco to compromise and settle certain Claims to Real Estate, and to convey such Real Estate pursuant thereto, approved April fourteenth, eighteen hundred and sixty-two. Dodge.....	213	262, 297, 343	273	327
162	An Act concerning the redemption of Real Estate in certain cases. Estee.....	213	236, 266, 277	287	399
163	An Act to grant the right to construct a Wharf and Dock on the Bay of San Francisco. Gunnison...	213	354, 652		
164	An Act concerning Estrays. Hartson.....	213	244, 269, 324, 422	405	729
165	An Act to amend an Act entitled an Act concerning the Salary of certain Officers in the County of Napa, approved May eighth, eighteen hundred and sixty-one. Hartson.....	213	356, 513	489	
166	An Act to authorize the Board of Supervisors of the County of Napa to allow the Claim of Charles Murphy. Hartson.....	213	356, 513	489	560
167	An Act to amend an Act to prevent certain Animals from running at large in Napa City. Hartson....	213	356, 514	489	560
168	An Act to separate the office of County Recorder from the office of County Clerk in the County of Napa. Hartson.....	214	355, 377	355	534
169	An Act to amend an Act to establish Pilots and Pilot Regulations for the Port of San Francisco. Dore	214	236, 266, 330	306	559
170	An Act creating a Contingent Fund for Trinity County. Personette	214	248, 310	233	303
171	An Act to create the Esmeralda Water Company. Orr.....	214	243, 266, 290	332	388
172	An Act to audit and allow a certain claim. Beeson.....	214	423, 437, 629, 660		
173	An Act for the relief of the Enlisted Men of the California Volunteers in the service of the United States. Fitch.....	214	376, 437, 446, 448, 464, 522, 543, 570	552	673
174	An Act to regulate the Practice of Medicine. J. W. Owen.....	214	558, 697		

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
175	An Act supplementary to an Act entitled an Act for the payment of Expenses incurred in the Suppression of Indian Hostilities in the County of Humboldt, in this State, approved March thirteenth, eighteen hundred and sixty-two. Whipple.....	214	423, 605	581	693
176	An Act to provide for Street Railroads in the City and County of San Francisco. Banks.....	218	253, 302, 359		
177	An Act to grant the right to construct a Turnpike Road from the Town of Fiddletown to Pokenville, in the County of Amador. Simpson.....	217	240, 266, 290	332	368
178	An Act to authorize the Ural Gold and Silver Mining Company to remove their books and office from Mono County to the City and County of San Francisco. Kewen.....	218	236, 266		
179	An Act to repeal an Act entitled an Act to authorize the incorporation of the City of San Bernardino, passed April thirteenth, eighteen hundred and fifty-four. Allen.....	218	251, 254, 310	265	303
180	An Act to authorize Married Women to execute Powers of Attorney. Gunnison.....	217	308, 373, 400, 404	411	477
181	An Act to regulate the Sale of Poisons. J. J. Owen.....	217	558, 698		
182	An Act to amend an Act entitled an Act to incorporate the City of Sonora. Orr.....	218	254, 303, 310	251	
183	An Act to grant the right to construct a Turnpike Road in Yolo County. Patten.....	218	345, 421, 450	482	560
184	An Act to amend an Act entitled an Act concerning the construction and repair of Levees in the County of Sacramento, and the mode of raising Revenue therefor. Estee.....	225	322, 404	373	477
185	An Act for the better protection of the Treasury of the County of Placer. Dudley of Placer.....	225	268, 287 302, 377	338	427
186	An Act to amend an Act concerning Roads and Highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two. Blanchard.....	225	230, 268	265	388
187	An Act authorizing the construction of a Wharf in the City and County of San Francisco. Ames ...	224	452, 651		
188	An Act to repeal an Act to attach certain Territory to the City of Sacramento for School purposes, approved February twenty-third, eighteen hundred and sixty-three. Estee.....	224	255, 268, 366	267	368
189	An Act appropriating Moneys for the benefit of the Ladies' Seaman's Friend Society of the Port of San Francisco. Deeth.....	225	365, 716		

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
190	An Act amendatory of and supplemental to an Act to establish Pilot Regulations for the Port of San Francisco, approved May twentieth, eighteen hundred and sixty-one. Banks.....	225	355, 672, 729	640	729
191	An Act to repeal Section Six of an Act entitled an Act concerning Roads and Highways in the County of Alameda. Scott.....	225	474	471	658
192	An Act to amend an Act entitled an Act to fix the time of holding the County Court and the Court of Sessions in Solano County, approved March twentieth, eighteen hundred and sixty. Dudley of Solano	225	230, 268, 310	265	304
193	An Act concerning Roads and Highways in the County of Tuolumne. Lux.....	225	240, 269	266	426
194	An Act to provide the manner of drawing, summoning, and forming of Grand Juries in the County of Tuolumne. Orr	225	252, 255, 260, 291	267	284
195	An Act to fix the Salary of County Judge of San Joaquin County. Keys	225	251, 254, 321	265	304
196	An Act to authorize the Police Judge of the City and County of San Francisco to commit persons of intemperate habits to the Institution known as the Home for the Inebriate, and to authorize and direct the payment of money out of the Police Fund of said city and county towards the support of said Institution. Banks.....	225	453	615	
197	An Act to submit the question of the removal of the County Seat of Calaveras County to the qualified voters thereof. Davis.....	232	242, 266, 313, 314, 357, 359, 377	359	535
198	An Act to authorize P. C. Lander, and his associates and assigns, to build a Wharf at Point Avisadero, in the City and County of San Francisco. Kincaid.....	232			
199	An Act for the Relief of Martin Winslow. Torrance.....	232	269, 282, 293, 315, 332	411	539
200	An Act to amend an Act supplemental to an Act to prevent the Trespassing of Animals upon Private Property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one. Scott.....	232			
201	An Act to provide for the Reclamation of the Swamp Lands of the Sacramento Valley. Pat-ten.....	232	694, 707		
202	An Act to authorize and empower John S. Rutherford and George Webber to construct and maintain Booms on the Guallala River, in Mendocino County. Ames.....	232	262, 273, 297	332	477

Number	TITLE.	Introduced.....	Further Action	Passed Assembly.....	Passed Senate.
203	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Smith of Sierra.....	232	276		
204	An Act to change the name of Anderson Walker to Anderson Monroe Walker. Crawford.....	232	262, 273, 297	332	388
205	An Act to provide for the better maintenance of the Indigent Sick of the County of Shasta. Chap- pell	232	266, 271, 693	281	674
206	An Act amendatory of and supplementary to an Act entitled an Act to regulate Proceedings in Civil Cases, approved April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory of and supplementary thereto. Wright of Contra Costa.....	232	290, 337, 342, 421, 422		
207	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Sanderson.....	249	353, 362, 379	380	674
208	An Act to change the Boundary Line between the Counties of Shasta and Tehama. Butler.....	250	318, 374		
209	An Act to amend an Act amendatory of and supplementary to an Act in relation to Personal Mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three, approved April twenty-ninth, eighteen hundred and fifty-seven. Estece.	249	538, 725	664	
210	An Act to establish Pilots and Pilot Regulations for the Port of San Francisco. Barstow.....	249	355, 524		
211	An Act to authorize parties therein named to construct and maintain a Bridge across the Middle Fork of Cache Slough. Dudley of Solano.....	249	268, 287, 330, 390	336	367
212	An Act to regulate Fees of Office in Solano County. Dudley of Solano	249	365	365	
213	An Act concerning certain Salaries in the County of Santa Barbara. Hill.....	249	255, 267, 283, 343	296	327
214	An Act to repeal a portion of an Act entitled an Act to provide for a Railroad in the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one. Sutton.	249	395, 398, 403, 410	404	425
215	An Act to provide for the construction of a Wagon Road from Sonora, Tuolumne County, to Aurora, Mono County. Keys.....	249	365, 404	365	427
216	An Act for the relief of D. W. Standeford, Deputy Tax Collector of Foreign Miners' Licenses in El Dorado County. Sanderson.....	249	262, 298, 390	273	367

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
217	An Act to abolish the office of State Geologist. Herrington.....	249	415, 643		
218	An Act to amend an Act in relation to Suits brought for the Collection of Delinquent Taxes, approved May twelfth, eighteen hundred and sixty-two. Smith of Sierra.....	249	276		
219	An Act to authorize the Administrator of the Estate of Fanny E. Gillespie, deceased, to sell and convey Real Estate. Gunnison	249	290, 337		
220	Constitutional Amendments. Robinson.....	249	374, 409, 442, 482.		
221	An Act for the removal of Obstructions to Navigation in the Sacramento River and its Tributaries. Warwick.....	250	221, 273, 298, 358, 637		
222	An Act to change the name of James Gilmore to Henry James Reese. Ames.....	250	262, 298, 343	273	
223	An Act to provide for a Railroad through certain Streets therein named in the City and County of San Francisco. Kincaid.....	250	470, 524, 686	706	723
224	An Act to amend an Act entitled an Act for the relief of persons Imprisoned on Civil Process, approved April twenty-second, eighteen hundred and fifty. Irwin	250	308, 390	273	367
225	An act concerning the office of the Clerk of the Supreme Court of the State of California. Wright of Contra Costa.....	250	262		
226	An Act to amend an Act to provide for the appointment of a Gauger for the Port of San Francisco, passed May third, eighteen hundred and fifty-two, and the several Acts amendatory thereof and supplemental thereto. Banks.....	250	276, 288, 474, 650		
227	An Act supplemental to an Act entitled an Act to repeal the several Charters of the City of San Francisco, to establish the Boundaries of the City and County of San Francisco, and to consolidate the Government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and the several Acts amendatory thereof and supplemental thereto. Banks.	250			
228	An Act to regulate Proceedings in Justices' Courts in Civil Cases. Estee.....	248			
229	An Act to authorize and require the Boards of Supervisors of the Counties of Napa and Lake to levy a Special Tax for the purpose of Improving and Repairing the Public Highway connecting Napa City and Lakeport. Hartson.....	250	262, 291		280
230	An Act supplementary to an Act entitled an Act to authorize Joseph M. Wood, his associates, and their assigns, to build a Wharf in the City and				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
	County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two. Barstow.....	259	445, 548, 582	552	673
231	An Act to provide for the construction of a Railroad and Tunnel through Russian Hill, in the City and County of San Francisco. Andrews.....	259	470, 562	552	578
232	An Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of Public and Private Roads in the County of Santa Cruz. Willson...	258	283	267	539
233	An Act to provide for a Railroad within the City and County of Sacramento. Barton.....	258			
234	An Act to provide for the payment of certain Legal Expenses incurred by this State. Sanderson.....	258	289, 337, 450	497	579
235	An Act to establish a Female Department in the County Jail of the City and County of San Francisco. Barstow.....	259	309, 373, 414, 423	420	458
236	An Act to prohibit the carrying of Concealed Weapons. Rule.....	258			
237	An Act to authorize the construction of a Wagon Road up City Creek Cañon into Little Bear Valley, in San Bernardino County. Allen.....	264	278, 288, 308	332	388
238	An Act to amend an Act entitled an Act for the Observance of the Sabbath. Scott.....	264	655, 698, 713	714	729
239	An Act to grant the right to construct a Bridge across the Stanislaus River, at a place known as Peoria Bar, to certain persons therein named. Lux.....	264	297, 355, 338	372	437
240	An Act to amend an Act concerning the Duties of County Treasurer, approved April twenty-ninth, eighteen hundred and sixty-two. Smith of Sierra.....	264	317, 374	409	
241	An Act to reduce Clerks' and Recorders' Fees in cases of Marriage, and to allow Marriages in certain cases without a License. Swift.....	264	297, 338		
242	An Act in addition to an Act entitled an Act to regulate Elections, approved March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplemental thereto. Collins..	264	290, 342	338	603
243	An Act amendatory of an Act supplemental to an Act concerning Public Ferries and Toll Bridges, passed April twenty-eighth, eighteen hundred and fifty-five, and the several Acts amendatory thereof and supplemental thereto, approved April fourteenth, eighteen hundred and sixty-two. Martin.....	271	342, 422, 431, 464, 674	524	645

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
244	An Act to appropriate money for the relief of Destitute Females in the State of California. Farley.....	271	716		
245	An Act for the improvement of Horses and Cattle. Allen.....	271	295, 339, 351	364	
246	An Act to require the County Judge of Colusa County to reside at the County Seat. Butler.....	271	287, 315, 332	333	388
247	An Act to amend an Act entitled an Act to exempt Firemen from Militia Service and Jury Duty, passed March twenty-fifth, eighteen hundred and fifty-three. Sutton.....	271	353, 432		
248	An Act to amend an Act entitled an Act to regulate the Fire Department of the City and County of San Francisco, passed March twenty-fifth, eighteen hundred and fifty-seven. Sutton.....	271	695, 707		
249	An Act to amend an Act entitled an Act relating to the Thirteenth Judicial District, and to determine the Time for Holding the Courts in said District, approved May second, eighteen hundred and sixty-two. Robertson.....	271	300, 342	339	657
250	An Act amendatory of an Act providing for an Attorney and Counsellor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two. Banks	271	397, 663	632	693
251	An Act to authorize the payment of Witnesses in Criminal Cases. Rider	281	322, 374		
252	An Act authorizing John W. Sharp and his associates to construct and maintain a Toll Road from the eastern bank of the Sacramento River, near Georgianna Slough, to the lower Stockton Road, near Benson's Ferry, in the City and County of Sacramento. Adams.....	281	309, 404	373	523
253	An Act to fix the Salaries of Judicial Officers, and provide for the payment of the same. Sander-son.....	281			
254	An Act authorizing Placer County to appropriate Money from the General Fund for the Support of the Agricultural Association within the county. Yule.....	281	386, 538	523	579
255	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco. Sutton.....	281	611, 616	611	646
256	An Act to provide for furnishing the County Officers of Amador County with the Statutes of the State of California and the Supreme Court Reports. Andrews	281	343, 352, 393, 491	468	531
257	An Act to amend an Act to provide Revenue for the Support of the Government of this State, ap-				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
	proved May seventeenth, eighteen hundred and sixty-one. Hartson	286	300, 339 355, 567	372	560
258	An Act to regulate the Fees of Jurors in Alameda County. Scott.....	286	469	582	674
259	An Act to fix the Salary of the District Attorney of Tulare County. Freeman	287			
260	An Act to fix the Salary of the County Judge of Tulare County. Freeman	287			
261	An Act to extend the provisions of an Act entitled an Act to provide for Public Administrator in certain counties, approved March thirteenth, eighteen hundred and sixty-two. Freeman	287	386, 475	470	580
262	An Act to repeal an Act entitled an Act to make County Warrants receivable in payment of Taxes in Tulare County. Freeman.....	287	386, 491	470	539
263	An Act to repeal an Act entitled an Act fixing the Compensation of the Auditor of Tulare County, approved April ninth, eighteen hundred and sixty-two. Freeman.....	286	386, 491	470	539
264	An Act authorizing and requiring the Auditor of San Bernardino County to make out a Delinquent Tax List. Allen.....	286	378, 475	470	496
265	An Act authorizing the County Treasurer of Placer County to transfer Money from the General Fund to the School Fund of said county. Yule.....	286	309, 356, 362	348	689
266	An Act to authorize John H. Atchison et al. to improve Truckee River. Adkison.....	292	297, 302, 308, 394, 420		
267	An Act to amend an Act entitled an Act to authorize the Funding of the Unfunded Debt of the City of San José, and to provide for the payment of the same, approved April twenty-sixth, eighteen hundred and fifty-eight. J. J. Owen.....	292	300, 362	339	427
268	An Act to authorize the issuance of School Land Warrants to Mary Ann Lee. J. J. Owen.....	292	310, 321, 374, 404	411	673
269	An Act to provide for the Publication and Distribution of the Laws of Eighteen Hundred and Sixty-Three relating to Revenue, and to call Meetings of the Boards of Supervisors of the several Counties. Wright of Del Norte.....	295	332, 716		
270	An Act to provide for the Election of a Board of Supervisors in the County of San Mateo. Deniston.....	305	360, 545	524	673
• 271	An Act for the government and support of the State Prison, and for the establishment of a Branch Prison. Adkison.....	306	398, 433, 434, 504, 512, 541, 547, 563	581	572

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
272	An Act supplementary to an Act entitled an Act to grant to certain parties the right of laying a Railroad Track across certain Streets within the City and County of San Francisco, which became a law on the sixth day of April, A. D. eighteen hundred and fifty-seven, and the Acts amendatory thereof. Dodge.....	305	360, 450	439	460
273	An Act to authorize William J. Lewis, A. P. Catlin, and Charles W. Sawyer, their associates and assigns, to extend Montgomery Street, in the City of San Francisco, by means of a Tunnel through and under Telegraph Hill, to the Bay of San Francisco. Dore.....	306	686, 707		
274	An Act to authorize Nathan H. Stinson, his associates, and their assigns, to build a Wharf at the foot of Solano Street, in the City and County of San Francisco. Barstow.....	305	584, 659	651	721
275	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one. Dore.....	306	321, 374		
276	An Act supplementary to and amendatory of an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one. Dore.....	306	321, 374, 437		
277	An Act to provide for a Railroad in the City and County of Sacramento. Adams.....	305	570, 625	569	625
278	An Act to authorize the County of Butte to purchase and hold Sixty-Six Thousand Dollars of the First Mortgage Bonds of the California Northern Railroad Company, and to issue the Bonds of said County for the payment of the same, and for other purposes connected therewith. Moore.....	305	322, 374, 384	387	477
279	An Act to amend Section One of an Act entitled an Act to amend an Act to provide for the Formation of Corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three. Butler.....	305	334, 411, 450, 480		
280	An Act to authorize the re-location of the Route of the Central Pacific Railroad Company of California, and other matters relating thereto. Banks..	306	377, 424, 431, 437	480	539
281	An Act to protect certain parties in and to a Railroad Survey to connect Portland, Oregon, with Marysville, California. Sargent.....	306	309	361	458
282	An Act to transfer certain Funds. Sears.....	306	333, 349, 356	332	408
283	An Act to amend an Act entitled an Act concerning the office of Attorney-General, passed April seventeenth, eighteen hundred and fifty. Committee on Public Lands.....		339, 355	372	437

ASSEMBLY BILLS.

[See Assembly Journal.]

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
284	An Act to provide for a Special Election in the County of Sacramento. Estee.....	311	725		
285	An Act to regulate and license Places of Public Amusements. Sears.....	310	340, 358, 360, 391, 423, 558	432	532
286	An Act to authorize an appropriation of money for the purpose of paying the Funeral Expenses, improving the Burial Grounds, and erecting a Monument to the memory of the Hon. Thomas Campbell, deceased, and to create a Board of Trustees to carry out the object of such appropriation. Dore.....		394	375	427
287	An Act to provide for the reclamation of the Swamp and Overflowed Lands donated to the State of California by Act of Congress of April twenty-eighth, eighteen hundred and fifty. Sutton.....	319	450	412	658
288	An Act to receive and pay for certain Books relating to the War Debt of this State. Fitch	320	375, 490, 491	490	591
289	An Act to authorize the Board of Supervisors of the County of San Joaquin to take and subscribe Two Hundred and Fifty Thousand Dollars to the Capital Stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto. Meyers.....	330	344, 351	344	366
290	An Act amendatory of and supplemental to an Act entitled an Act to provide for the establishment, maintenance, and protection of Public and Private Roads, approved May sixteenth, eighteen hundred and sixty-one, so far as said Act applies to the County of Contra Costa. Wright of Contra Costa.....	330	334, 394	361	425
291	An Act to repeal an Act for the Observance of the Sabbath. Wilcox.....	330	382, 589, 638, 645		
292	An Act to renew the Lease of Folsom Street Wharf, in the City and County of San Francisco. Kincaid.....	330			
293	An Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek. Robinson...	330	376, 553	518	603
294	An Act concerning Improvements made upon Lands recovered in ejectment. Duncombe.....	330	342, 429		
295	Amendments to the Constitution. Dudley of Placer	330	435, 643		
296	An Act to prevent the Sale of Intoxicating Liquors on certain Days of Elections to be held in this State. Herrington.....	331	382, 398, 440, 471, 481		
297	An Act to amend an Act entitled an Act to limit				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
	the Terms of Leases, passed April twenty-first, eighteen hundred and sixty-one. Swift.....	331	342, 430, 450, 539	470	
298	An Act granting to certain parties the right to build a Turnpike Road at a point on the Big Tree Road to Silver Mountain, and from thence to Carson Valley. McDonald.....	331	344, 434	420	460
299	An Act to amend an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. J. J. Owen.....	331	716		
300	An Act to authorize Juan La Coste to sell certain Real Estate. J. J. Owen.....	331	342, 425, 467	615	674
301	An Act to authorize Antonio Suñol to sell certain Real Estate. J. J. Owen.....	331	342, 425, 467	615	674
302	An Act abolishing the Office of County Assessor, and establishing the Office of Township Assessors in the County of Butte. Moore.....	333	344, 430, 450	524	
303	An Act concerning Records of Fees and Duties of certain Officers in the County of Solano. Dudley of Solano.....	335		412	437
304	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty, and an Act amendatory thereof, passed April twenty-fourth, eighteen hundred and fifty-two. Fitch.....	335	412		
305	An Act to amend an Act entitled an Act declaring Mission Creek, in the County of San Francisco, a Navigable Stream, passed March thirty-first, eighteen hundred and fifty-four. Swift.....	335	376, 399		
306	An Act to amend an Act entitled an Act to grant the Right of Way for a Railroad Track within the corporate limits of the City and County of San Francisco, approved May fourteenth, eighteen hundred and sixty-two. Kincaid.....	335	454, 473	471	535
307	An Act to provide for the Segregation of the Swamp and Overflowed Lands of this State. Sutton.....	347			
308	An Act fixing the Salary of the District Attorney of the County of Siskiyou. Irwin.....	348	355	348	388
309	An Act to change the Name of New San Pedro, a town in Los Angeles County. Kewen.....	348	377	361	531
310	An Act to create a Mining College for the State of California. Warwick.....	347	415, 643		
311	An Act to amend an Act entitled an Act to provide for the Formation of Corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three. Wheaton.....	347	382, 678	642	723

Number	TITLE.	Introduced	Further Action	Passed Assem- bly	Passed Senate.
312	An Act to amend an Act entitled an Act amendatory of Article Fourth of an Act entitled an Act to repeal the several Charters of the City of San Francisco, to establish the Boundaries of the City and County of San Francisco, and to consolidate the Government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, repealing Sections Thirty-Six to Sixty-Four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Four, approved April twenty-fifth, eighteen hundred and sixty-two. Dodge...	347	385	611	546
313	An Act to authorize W. M. Gordon and his associates to construct and maintain a Turnpike Road from the Town of San Rafael to Point San Quentin, and to charge and collect Toll for travel thereon. Torrance.....	347	354, 432		
314	An Act to amend an Act entitled an Act to define the duties and liabilities of Pawnbrokers and Pledgées, approved April seventeenth, eighteen hundred and sixty-one. Ames.....	347	430, 475	430	622
315	An Act to amend an Act entitled an Act for the erection of a Building for the State Reform School, and for the regulation of the same, approved April eighteenth, eighteen hundred and sixty. Sargent.....	317	360, 605, 674	583	647
316	An Act to authorize the Board of Supervisors in and for the County of Amador to levy an additional Tax for County Expenditures in said county. Andrews.....	347	394	373	531
317	An Act to grant the right to construct a Turnpike Road between the Town of Pine Grove and Antelope Springs, in Amador County. Andrews	347		419	531
318	An Act to amend an Act entitled an Act to incorporate the State Agricultural Society, and appropriate money for its support, approved May thirteenth, eighteen hundred and fifty-four, and amended March thirtieth, eighteen hundred and fifty-eight, approved March twelfth, eighteen hundred and sixty-three. Meyers.....	351	356	351	368
319	An Act amendatory of and supplementary to an Act entitled an Act in relation to the Militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two. Collins.....	351	422, 457, 497, 500, 520, 530, 554, 657, 680.	520	622
320	An Act concerning Railroads in this State. San Francisco Delegation.....		432, 457, 472, 514	473	532
321	An Act to amend an Act entitled an Act to prohibit Gaming, approved March seventh, eighteen hundred and sixty. Judiciary Committee.....		362	372	673

Number.....	TITLE.	Introduced.....	Further Action	Passed Assembly.....	Passed Senate.
322	An Act to provide a Special Fund for the enlargement and improvement of the State Prison and Insane Asylum, and for providing means for carrying on and supporting the same. Torrance....	357	716		
323	An Act to regulate the Fees of certain County Officers in the County of Siskiyou. Irwin.....	363	384, 674	363	
324	An Act to change the name of Charles G. Scott. Burr.....	363	545	524	658
325	An Act to amend an Act entitled an Act to grant James H. and Charles J. Deering the right to construct and maintain a Bridge or Bridges across the Tuolumne River, approved April eighth, eighteen hundred and sixty-two. Lux...	363	510	470	560
326	An Act to amend an Act supplementary to an Act to amend an Act to prevent the Trespassing of Animals upon Private Property, approved the seventeenth day of May, eighteen hundred and sixty-one. Watson.....	363	430, 434	419	674
327	An Act to authorize the Board of Supervisors of the County of Butte to transfer certain Funds. Smith of Butte.....	362	365, 379, 416, 434	416	
328	An Act to grant the right to construct a Toll Bridge across Feather River, near Oroville, in Butte County. Smith of Butte.....	362	365, 514	469	591
329	An Act to authorize the transfer of Money in the Treasury of the County of San Joaquin. Meyers.....	363	378, 384	378	533
330	An Act to exclude Traitors and Alien Enemies from the Courts of Justice in civil cases. J. J. Owen.....	362	376, 429, 431, 464, 647	432	591
331	An Act to appropriate Money to pay the Claim of A. E. Sherwood. Ames.....	363	406, 628	660	
332	An Act concerning Gaming in the City and County of San Francisco. Banks.....	363	467, 678, 725	652	
333	An Act to provide for the purchase and distribution of a Digest of the Decisions of the Supreme Court of California. Fitch.....	363	376, 525		
334	An Act for the relief of Jesse D. Carr. Dodge.....	363	656, 685, 702	598	
335	An Act to amend an Act entitled an Act to encourage the construction of a Wagon Road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County. Watson.....	363	384, 423	419	486
336	An Act to authorize and require the County Superintendent of Common Schools of Solano County to apportion Money to Rio Vista School District, in Solano County. Dudley of Solano.....	363	406, 491	470	534

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
337	An Act to regulate the Fees of Constables of El Dorado County. Burr	363	386, 434	419	591
338	An Act to amend an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-three. Smith of Butte.....	362	376, 553	525	689
339	An Act to regulate the Fees of certain Officers in Solano County. Dudley of Solano.....		394		426
340	An Act making the office of County Treasurer of Shasta a salaried office. Chappell.....	370	377, 545	525	580
341	An Act to amend an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved the fifteenth day of April, eighteen hundred and fifty-eight. Dore.....	370	418, 423, 704	419	437
342	An Act to pay the Claim of D. Z. Moore. Estee....	370	386, 510	474	590
343	An Act concerning Roads and Highways in the County of Fresno. Walker.....	370	553	524	646
344	An Act to confer further powers upon the Board of Education of the City and County of San Francisco. Dodge.....	370	398, 450	429	535
345	An Act to amend an Act entitled an Act to provide for the Appointment of a Reporter of the Supreme Court, and define his duties and compensation. Rule.....	370	383, 658	642	723
346	An Act to repeal Sections Two and Three of an Act entitled an Act for the Protection and Government of Indians, passed May twenty-second, eighteen hundred and fifty, and Section One of an Act amendatory thereof, passed April eighteenth, eighteen hundred and sixty. Whipple....	370	406, 441	642	721
347	An Act concerning Mining Associations and Companies. McDonald.....	370	415, 663 726	643	
348	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco. Dodge.....	379	515, 526 647	516	591
349	An Act supplemental to an Act entitled an Act to authorize John S. Williams and his associates to construct a Wharf at the foot of Franklin Street and Van Ness Avenue, in the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two. Kincaid.....	379	452, 473	471	495
350	An Act to authorize the Supervisors of Sonoma County to appropriate Money. Beeson.....	379	385	385	408
351	An Act to prohibit the carrying of Concealed Weapons. Rule	379	641		

ASSEMBLY BILLS.

[See Assembly Journal.]

Number.....	TITLE.	Introduced.....	Further Action	Passed Assembly.....	Passed Senate.
352	An Act amendatory of an Act concerning Roads and Highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine. Meyers.....	379	308, 622	599	674
353	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the amendments thereof, passed May eighteenth, eighteen hundred and sixty-one. Estee	379	415, 440 661		
354	An Act making appropriations for the Support of the Civil Government of this State for the Fifteenth Fiscal Year, commencing on the first day of July, A. D. eighteen hundred and sixty-three, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-four. Sears.....	386	405, 412, 491, 595, 623, 654, 674	491	590
355	An Act concerning Roads and Highways in the County of Plumas. Howell	390	414	599	623
356	An Act to allow James E. Nuttman and Marcus Harlow, and their associates and assigns, to construct and maintain a Toll Road in the County of San Mateo. Denniston.....	390	406	406	425
357	An Act to grant additional powers to the Board of Supervisors of the City and County of San Francisco, and to organize, control, and regulate the Fire Department of said city and county. Smith of Sierra.....	390			
358	An Act supplementary to and amendatory of an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty, and all Acts amendatory thereof and supplementary thereto. Banks.	391			
359	An Act to provide for the purchase and payment for a Steam War Vessel, to be used for the United States for Coast and Harbor Defences, and to levy a Tax therefor. Palmer.....	390			
360	An Act for the Relief of Matthew Crooks. Wheaton	390	465, 634	466, 633	692
361	An Act to authorize the Board of Supervisors in and for the County of Sacramento to levy a Special Tax for the erection of a Public Building in the Town of Folsom, in said county. Warwick.....	390	645, 678	645	
362	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto. Sanderson.....	390	414, 429, 449, 592, 722	574	721
363	An Act to amend an Act entitled an Act granting to James R. Vineyard and his assigns the right to				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
	construct and maintain a Toll Bridge across the Yuba River, near Parks' Bar, in Yuba County, approved April ninth, eighteen hundred and sixty-two. Adkison	390	466, 600		
364	An Act to provide for the election of additional Supervisors in the County of Alameda. Robinson..	387		512	533
365	An Act concerning unlawful holding over of Lands, Tenements, and other possessions. Wright of Contra Costa	387	414, 694	664	724
366	An Act to authorize the Board of Supervisors of the City and County of San Francisco to grant the right to lay down Gas Pipes in said city and county, subject to certain restrictions and qualifications. Banks	391	546, 634	614	726
367	An Act to submit to the People of a certain District in Shasta County a proposition to change the Boundary Line between the Counties of Shasta and Tehama. Butler.....	390	564, 614		
368	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty. Rule.....	395	642		
369	An Act to amend an Act in relation to Public Roads in the County of Amador, and to the Road Fund of said county, approved March thirteenth, eighteen hundred and sixty-two. Andrews.....	400	416	416	531
370	An Act to provide for the appointment of a Weigher of Coal in and for the City of San Francisco. Kincaid.....	400	557, 663	660	690
371	An Act to amend an Act entitled an Act changing the time of Assessing the Value of Real and Personal Property, and collecting the Taxes levied thereon for State and county purposes, in the County of Sierra, passed April tenth, eighteen hundred and sixty-two. Smith of Sierra.....	399	406, 423	406	539
372	An Act to amend an Act entitled an Act to punish Vagrants, Vagabonds, and Dangerous and Suspicious Persons, passed April thirtieth, eighteen hundred and fifty-five. Wheaton.....	400	406, 658, 679	642	692
373	An Act to amend an Act entitled an Act to regulate Elections, passed March twenty-third, eighteen hundred and fifty. Crawford.....	400	415, 432, 682, 705, 706	713	
374	An Act to authorize the Common Council of the City of Placerville to issue certain Bonds for the relief of the Fire Department of said city. Sanderson.....	400		400	459
375	An Act to grant the right to construct a Bridge across the Albion River near its mouth. Ames...	400	605	582	673

Number.....	TITLE.	Introduced.....	Further Action	Passed Assembly.....	Passed Senate..
376	An Act concerning Estrays and Animals found running at large in the County of Santa Clara. Herrington.....	400	416, 434	416	723
377	An Act for the relief and support of Indigent Persons, and for the erection of County Poor Houses in the several counties of this State. Ames.....	404	566, 625, 636, 672, 685, 696, 725	686	
378	An Act concerning Hogs running at large in the County of Contra Costa. Wright of Contra Costa.....	409	418	420	721
379	An Act extending the provisions of an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, to the County of San Diego. Johnson.....	409	452, 464	452	486
380	An Act to appropriate money to pay the Claim of Benjamin P. Avery. Collins.....	409	553	614	646
381	An Act fixing the Mileage of the several County Treasurers of this State. Committee on Ways and Means.....		414		730
382	An Act to grant to the Bidwell Bridge Company the right to keep up and maintain their present Bridge across Feather River, at the Town of Bidwell, Butte County, in this State, as a Toll Bridge, and to reconstruct the same. Smith of Butte.....	419	436, 484, 633; 640		591
383	An Act to appropriate money to pay the Claim of F. F. Fargo. Warwick.....	418	465, 484	476	534
384	An Act supplementary to an Act entitled an Act to provide for the Government of the Common Schools in the City of Sacramento, approved April twenty-sixth, eighteen hundred and sixty-two. Warwick.....	418	675, 694	687	724
385	An Act to regulate Mileage in the Counties of Del Norte and Klamath. Wright of Del Norte.....	419	450	429	477
386	An Act to change the name of Cincinnatus Schultz to John Brown. Willson.....	419		419	436
387	An Act supplementary to an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, passed April twenty-fourth, eighteen hundred and sixty-two. Robinson.....	419	514	489	673
388	An Act granting the right to construct and maintain a Bridge across the Cosumnes River, in the County of Sacramento. Estee.....	419	521, 526	521	673
389	An Act to authorize the Superintendent of Public Schools of the County of Trinity to pay the Claim of John H. Hough. Personette.....	429	435, 450	435	486

Number	TITLE.	Introduced	Further Action	Passed Assem- bly	Passed Senate.
390	An Act for ascertaining by proper proofs the citizens who shall be entitled to the Right of Suffrage in the Counties of Los Angeles and San Diego, and to prevent fraudulent voting therein. Torrance.....	428			
391	An Act to authorize the sale and conveyance to the South San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco. Kincaid.....	429	567, 656, 663	661	704
392	An Act to empower the Board of Trustees of Petaluma to levy a Special Tax for the benefit of the Fire Department of said city. Dunne.....	428		429	458
393	An Act to transfer certain Funds. Martin.....	428		464	487
394	An Act to grant the right to construct a Wagon Road in Tulare County. Freeman.....	428	480, 482	599	673
395	An Act to authorize the County Auditor of Tulare County to issue Bonds to aid in the construction of a Wagon Road. Freeman.....	428	480	599	689
396	An Act to amend an Act authorizing the formation of Corporations for certain purposes, passed May second, eighteen hundred and fifty-three, and the various Acts amendatory thereof. Dunne.....	429	695, 707		
397	An Act to establish a Board of Equalization in and for the City and County of San Francisco. Wheaton.....	428	695, 707		
398	An Act to provide for the election of Township Assessors in the County of Alameda. Scott.....	428	469, 545, 723	523	
399	An Act for the relief of certain parties therein named. Ames.....	429	504, 512, 519, 538	205	561
400	An Act supplementary to an Act entitled an Act to alter and define the Boundary Lines of Tehama County, approved April nineteenth, eighteen hundred and fifty-nine. Butler.....	429	510	475	623
401	An Act to amend an Act for the better protection of Farmers in certain portions of Sacramento County. Adams.	438	514	484	673
402	An Act to provide for a Railroad from the City of Sacramento to Suttersville. Adams.....	438			
403	An Act making Appropriations for Deficiencies for the Thirteenth Session of the Legislature. Sears.	439	441, 449, 679	449	692
404	An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide Revenue for the Support of the Government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, and of an Act amendatory of and supplementary to said Act, approved April nineteenth, eighteen hundred and fifty-nine,				

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
	approved March eighteenth, eighteen hundred and sixty-two. Dodge.....	438	468	614	692
405	An Act concerning the Official Bond of Public Administrator in the County of San Bernardino. Allen.....	439	611	599	646
406	An Act to exempt the Property of the California Bible Society from taxation. J. W. Owen.....	439	545	524	591
407	An Act concerning the City of Los Angeles, giving to the Mayor and Common Council authority to establish a Public City Pound, and to prohibit the grazing of certain Domestic Animals within certain prescribed limits of said city. Watson....	438	568, 582	568	603
408	An Act granting the Right of Way over certain Lands in this State, in the County of El Dorado, for the construction of a Wagon Road. Burr.....	438	454, 475	454	501
409	An Act for the incorporation of the Town of Dutch Flat, in Placer County. Blanchard.....	439	454, 475	454	560
410	An Act to authorize the Treasurer of Alameda County to collect the Taxes of said County. Scott.....	438	469, 538	523	560
411	An Act to regulate the Fees of Officers in the County of Alameda. Scott.....	439	469, 563	523	623
412	An Act creating the office of Bailiff of the Supreme Court. Sears.	439	449	522	593
413	An Act relative to the Board of Supervisors of San Joaquin County. Keys.....	438			
414	An Act concerning Attachments in Civil Cases. Robinson.....	440			
415	An Act to grant the Right of Way for a Railroad Track within the limits of the City and County of San Francisco. Deeth.....	446	470, 563	552	579
416	An Act amendatory of an Act to provide for a Railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one. Sutton.....	446	676, 704	691, 704	
417	An Act to give immediate effect to an Act therein named. Dore.....	446		446	459
418	An Act to amend an Act concerning Corporations, passed April twenty-second, eighteen hundred and fifty. Dodge.....	446	467, 510	468	591
419	An Act to ratify and confirm a certain Indenture of Extension and renewal of a certain Indenture of Lease to Edward Minturn. Dodge.....	446	453, 510	453	523
420	An Act to appropriate money to pay a Claim arising under a Commission authorized by the Assembly				

Number	TITLE.	Introduced	Further Action	Passed Senate..	Passed Assem- bly
	at the Thirteenth Session of the Legislature to take testimony in the Contested Election of Gordon vs. McAllister. Torrance.....	446	553, 571	554	693
421	An Act for the Preservation of Seals and Sea Lions at or near the Harbor of San Francisco. Barstow.....	446	467, 491	467	531
422	An Act to confer further powers upon the Board of Supervisors, Auditor, and Treasurer of the City and County of San Francisco. Barstow.....	446	557, 614		
423	An Act to legalize and provide for the Collection of Delinquent Taxes in the counties of this State. Barstow	446	716		690
424	An Act in relation to the First Regiment of Militia. Sutton.....	446	509, 542, 553, 592	582	657
425	An Act to appropriate money to pay a certain Claim. Dunne.....	446	522, 538	523	590
426	An Act to authorize the City and County of Sacramento to subscribe to the Capital Stock of the Central Pacific Railroad Company of California, and providing for the payment of the same, and other matters relating thereto. Duncombe.....	447	563	546	590
427	An Act to extend the Time for the completion of the San Francisco and Marysville Railroad. Redfield.....	447	452, 465	453	486
428	An Act to regulate the Fees in Office in the County of Contra Costa. Dore.	446	468, 484	469	673
429	An Act to authorize the Mechanics' Institute of the City of San Francisco to sell, mortgage, and convey Real Estate. Dore.....	446	506, 516	508	531
430	An Act supplementary to an Act entitled an Act to provide for the Incorporation of Colleges, passed April twentieth, eighteen hundred and fifty. Banks.....	447	474, 679	665	723
431	An Act to enable Corporations formed under the laws of this State to change their place of business. Swift.....	447	619, 698		
432	An Act to provide for a Street Railroad within the limits of the City and County of San Francisco. Kincaid.	461			
433	An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay the Claim of Benjamin O. Devoe. Wheaton.....	461	510	469	533
434	An Act for the Relief of J. J. Blanchard. Gunnison.....	461	695, 707		

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
435	An Act to regulate the Rates of Fare upon Street Railroads in the City of San Francisco, and to provide a penalty for violation thereof. Kincaid.....	461	606, 633		
436	An Act to authorize the Board of Supervisors of Santa Clara County to take and subscribe One Hundred and Fifty Thousand Dollars to the Capital Stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto. J. J. Owen.	461	466, 491	467	534
437	An Act to authorize the Board of Supervisors of the County of Nevada to take and subscribe One Hundred and Fifty Thousand Dollars to the Capital Stock to the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto. Martin.....	462			
438	An Act concerning Corporations formed for Canal and Ditch purposes. Committee on Corporations.	461	474, 616	583	
439	An Act for the relief of John Herzo. Dunne.....	461	483, 616	601	692
440	An Act to amend Section Eighty-Two of an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one. Butler.....	462	483	697	723
441	An Act to amend an Act entitled an Act to regulate Proceedings in Civil Cases, approved April twentieth, eighteen hundred and sixty-one. Kincaid.	461			
442	An Act to authorize the sale of certain Property of Jesse Cope, and other Minors. Barton.....	461	524, 526 553	526	591
443	An Act supplemental and explanatory of an Act entitled an Act to allow James E. Nuttman, Marcus Harlow, and their associates or assigns, to construct and maintain a Toll Road in the County of San Mateo, approved March twenty-sixth, eighteen hundred and sixty-three. J. W. Owen.	461			
444	An Act for the relief of John Gilfallan. Dunne.....		465, 491, 638		
445	An Act making Appropriations for Deficiencies in the Appropriations made for the Fourteenth Fiscal Year, and ending on the thirtieth of June, eighteen hundred and sixty-three. Sears.....	468	481, 541, 569, 670, 675, 694	541, 548	647
446	An Act to consolidate certain School Districts of the Counties of El Dorado and Sacramento. Barton.	470	492, 605	583	646
447	An Act to amend an Act entitled an Act to provide for the formation of Corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty three. Smith of Butte.....	471	506, 516	508	673

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
448	An Act to provide for the Government of the County of Sacramento, and to repeal certain Acts connected therewith. Adams.....	479			
449	An Act to provide for the construction of a Railroad from Wilmington to Los Angeles, in the County of Los Angeles. Kewen.....	479	492, 538	523	590
450	An Act fixing the Salaries of State Officers and Clerks, and the Officers and Employés of the Senate and Assembly, to define their duties, and to establish their pay. Dudley of Solano.....	479	518, 544, 698		
451	An Act to amend an Act supplementary to an Act to amend an Act to prevent trespassing of Animals upon private Property, approved the seventeenth day of May, eighteen hundred and sixty-one. Watson.....	479	515		
452	An Act amendatory of and supplementary to an Act entitled an Act to confirm and legalize certain Assessment Rolls of the City and County of San Francisco, and to provide for the collection of Delinquent Taxes thereon, approved March twenty-second, eighteen hundred and fifty-nine, approved May twentieth, eighteen hundred and sixty-one. Farley	479	546, 614		
453	An Act appropriating Money to pay the claim of Augustus D. Splivalo, for translating State documents. Hill	479	522, 616	581	646
454	An Act for the recovery of the Value of Improvements in certain cases. Duncombe	479			
455	An Act concerning Roads and Highways in Colusa County. Butler	479	484, 514	485	560
456	An Act to authorize the Board of Supervisors of the County of Sonoma to levy an additional Tax for Road purposes. Dunne.....	479	510	479	673
457	An Act amendatory of and supplementary to an Act entitled an Act to define the Boundaries and provide for the Organization of Lake County, approved May twentieth, eighteen hundred and sixty-one. Hartson	479			
458	An Act supplemental to an Act to amend an Act entitled an Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, passed March twenty-eighth, eighteen hundred and sixty-three. Barclay.....	479	550, 584, 622, 674, 675	615	690
459	An Act amendatory of and supplementary to an Act to create the office of State Geologist, and to define the duties thereof, approved April twenty-first, eighteen hundred and sixty. Martin.....	480	683, 714		

ASSEMBLY BILLS.

[See Assembly Journal.]

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
460	An Act supplementary to an Act granting to certain parties the right to lay a Track and construct a Railroad along J street, in the City of Sacramento. Robertson	479			
461	An Act for the relief of D. P. Shattuck. Dunne...	483	605	580	
462	An Act amendatory of an Act entitled an Act to provide for Condemning or Purchasing certain Lands adjoining the State Prison Grounds at Point San Quentin for State Prison purposes. approved April fifteenth, eighteen hundred and fifty-nine. Adkison.....	448	493, 506	493	533
463	An Act to amend an Act to provide for the Collection of Taxes on Personal Property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two. Wheaton.....	488	557, 571	557	692
464	An Act to repeal an Act amendatory of and supplemental to an Act entitled an Act to establish a Standard of Weights and Measures, approved May eleventh, eighteen hundred and sixty-one. Wheaton.....	488	546	661	711
465	An Act supplemental to an Act entitled an Act in relation to the Militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two. Dore	489			
466	An Act to increase the Revenue of the State of California, and to appropriate such increase. Kincaid.....	489	716		
467	An Act to enable certain Minors to convey Real Estate. Scott.....	488	558, 621, 664	661	721
468	An Act to prevent the Arming and Equipping, within the jurisdiction of this State, of vessels for Piratical or Privateering purposes, and other treasonable conduct. Sanderson.....	488	491, 514	491	591
469	An Act to grant the Right to construct a Wooden or Iron Railroad from the Slate Range Mountains, in the County of San Bernardino, to Kern River, in the County of Tulare. Freeman.....	488	522, 634	615	724
470	An Act authorizing the Board of Supervisors of the County of Yolo to issue certain Bonds, and to provide for the payment of the Principal and Interest thereof. Patten.....	488	626, 635	614	674
471	An Act to provide for the payment to the Holders of Bonds issued for Expenses incurred in the suppression of Indian Hostilities in certain counties of this State, of the amounts allowed and paid by the Federal Government on said Bonds. Irwin.....	488			

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
472	An Act to amend an Act entitled an Act for the Encouragement of Agriculture and Manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two. Collins.....	488	611, 617	611	692
473	An Act to amend an Act entitled an Act concerning the Construction and Repair of Levees in the County of Sacramento, and the manner of raising Revenue therefor, approved April ninth, eighteen hundred and sixty-two. Adams.....	488	571	547	603
474	An Act to amend an Act entitled an Act to authorize Henry B. Platt and James Gallagher to construct a Wharf at the foot of Third Street, in the City and County of San Francisco, passed May sixteenth, eighteen hundred and sixty-one. Kincaid.....	489			
475	An Act to repeal Section Eleven of an Act entitled an Act to provide Revenue for the Support of the Government of this State, approved May ninth, eighteen hundred and sixty-one. Sears.....	489	505	697	725
476	An Act to authorize parties to marry without License in certain cases. Butler.....	489			
477	An Act to authorize the Board of Supervisors of the City and County of San Francisco to take and subscribe One Million Dollars to the Capital Stock of the Western Pacific Railroad Company and the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto. Deeth	497	606, 607	615	645
478	An Act concerning the Terms of Court of the Sixth Judicial District. Judiciary Committee.....		516		673
479	An Act for the Relief of the Family of Colonel Roderick Matheson. Dunne.....	515	517	517	
480	An Act to repeal an Act entitled an Act regulating Marriages. Yule.....	515	538, 697, 702, 725	711	
481	An Act to facilitate the Settlement of Insolvent Estates. Meyers.....	515			
482	An Act to provide for the Collection of Delinquent Taxes in the City of Stockton. Meyers.....	515	521	582	603
483	An Act to provide for the Holding of a Special Term of the District Court in Los Angeles County. Kewen.....	516		516	533
484	An Act to authorize the Collection of Toll on the Hughes Trail in Los Angeles County. Kewen..	516	593, 616	661	723
485	An Act concerning the United Order of Ancient Druids. Sanderson.....	524	545	524	580
486	An Act concerning Receivers of Public Money. Duncombe.....	524			

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate.
487	An Act to authorize James R. Dickey and H. W. Whitcomb, their associates or assigns, to construct and keep in repair certain Roads in the County of San Mateo, and to levy and collect tolls thereon. Denniston.....	531	611, 694	660	725
487½	An Act fixing the Time of Holding the General Election in the year eighteen hundred and sixty-three. Estee.....	536	584, 631, 638, 659		
488	An Act to authorize William O'Connell and his assigns to build a Wharf at or near Slaughter House Point, in Contra Costa County, now in possession of William O'Connell. Wright of Contra Costa.....	549	557, 571	558	590
489	An Act amendatory of an Act to provide Revenue for the Support of the Government of this State, approved May ninth, eighteen hundred and sixty-one. Ames.....	549	567		
490	An Act to amend an Act to authorize and require the Boards of Supervisors of the Counties of Napa and Lake, respectively, to levy a Special Tax for the purpose of improving the Public Highway connecting Napa City and Lakeport. Hartson	562	571	562	623
491	An Act to amend Section Twenty-Nine of an Act entitled an Act to regulate Elections, approved March twenty-third, eighteen hundred and fifty. Herrington.....	562	564, 725		
492	An Act to transfer certain Funds. Sears.....	578	625, 635, 637	610	
493	An Act to empower the Chief of Police and the Captains of Police of the Police Department of the City and County of San Francisco to admit to Bail persons charged with misdemeanor. Dunne	583	621, 661, 662		
494	An Act to authorize the Board of Supervisors of San Joaquin County to appropriate Money. Meyers	583		598	623
495	An Act concerning Officers in the County of Amador. Andrews	593	652		
496	An Act concerning Offices in the County of Placer. Dudley of Placer.....	594			
497	An Act to authorize the Board of Supervisors of Calaveras County to take and subscribe Fifty Thousand Dollars to the Capital Stock of the Stockton and Copperopolis Railroad Company, to provide for the payment of the same, and other matters relating thereto. Barclay.....	597	635	515	595
498	An Act amendatory of and supplementary to an Act entitled an Act to provide for the formation of Corporations for certain purposes, etc. Rider....	597	725	656	

Number	TITLE.	Introduced	Further Action	Passed Assem- bly	Passed Senate.
499	An Act concerning Teachers of Common Schools in this State. Dunne	612	617	607	724
500	An Act to authorize the Board of Supervisors of Solano County to levy an additional Tax. Dudley of Solano	612	679	652	689
501	An Act to amend an Act to provide for the construction of a Wagon Road from Sonora, Tuolumne County, to Aurora, Mono County. Meyers.....	612	626	526, 687	
502	An Act to enable the Supervisors of San Joaquin County to assess Taxes for certain purposes. Meyers.....	612		626	646
503	An Act to confer further Powers upon the Board of Supervisors of the City and County of San Francisco. Dodge.....	625	649	649	693
504	An Act concerning Estrays in the County of Napa. Harrison	625	679	661	723
505	An Act concerning the Action of Libel. Wilcox....	625			
506	An Act to legalize Certificates, etc. signed by Deputy Clerks in San Francisco. J. J. Owen.....	626			
507	An Act concerning Toll Roads in Placer County. Blanchard.....	626	676		
508	An Act amendatory of an Act granting a Railroad Franchise in San Francisco. Wheaton.....	632		638	672
509	An Act to authorize the Attorney-General to prosecute certain Suits. Swift.....	632	635	632	646
510	An Act to authorize the Board of Supervisors of Tuolumne County to subscribe Fifty Thousand Dollars to the Capital Stock of the Stockton and Copperopolis Railroad Company. Lux.....	640	659	640	692
511	An Act to build a Wharf in Contra Costa County. Wright of Contra Costa.....	640		640	
512	An Act to fix the Compensation of Tax Collector of El Dorado County. Sanderson.....	642		642	715
513	An Act to amend an Act to provide for the establishment, maintenance, and protection of Public and Private Roads, approved May sixteenth, eighteen hundred and sixty-one. Crawford.....	642	659	642	693
514	An Act to aid the construction of the Central Pacific Railroad in the State of California, and other matters relating thereto. Whipple.....	643	670	679	715
515	An Act amendatory of an Act concerning a Plank Road and Bridge over Mission Bay. Dodge.....	649		649	672
516	An Act to provide for the division of Yolo County into Assessment Districts, for the election of Dis-				

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[See Assembly Journal.]

Number	TITLE.	Introduced	Further Action	Passed Assembly	Passed Senate..
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517	An Act to legalize and confirm certain Conveyances. Kincaid.....	661	682		
518	An Act to fix the time of holding the Court of Sessions in the County of Napa for the year A. D. eighteen hundred and sixty-three. Hartson.....	666		666	689
519	An Act concerning the Police Judge's Court of the City and County of San Francisco. Swift	666		666	692
520	An Act amendatory of and supplementary to an Act to organize Townships, and regulate their powers and duties, and submit the same to a vote of the People, approved May fifteenth, eighteen hundred and sixty-two, and other Acts amendatory thereof. Collins.....	666		666	689
521	An Act to incorporate the Town of Jackson, in Amador County. Andrews.....	666		666	690
522	An Act to create and organize a Fire Department for the Town of Jackson. Andrews.....	666		666	690
523	An Act to revive an Act entitled an Act to regulate Fees in Office, approved April tenth, eighteen hundred and fifty-five, and to legalize the acts of certain Officers of Calaveras County for certain purposes. Barclay.....	677		677	
524	An Act amendatory of Road Law in Mendocino County. Ames.....	680		680	723
525	An Act to grant the Right of Way for a Line of Telegraph from San Francisco to Crescent City. Whipple.....	710		710	723

ASSEMBLY CONCURRENT RESOLUTIONS.

ASSEMBLY CONCURRENT RESOLUTIONS.

[See Assembly Journal.]

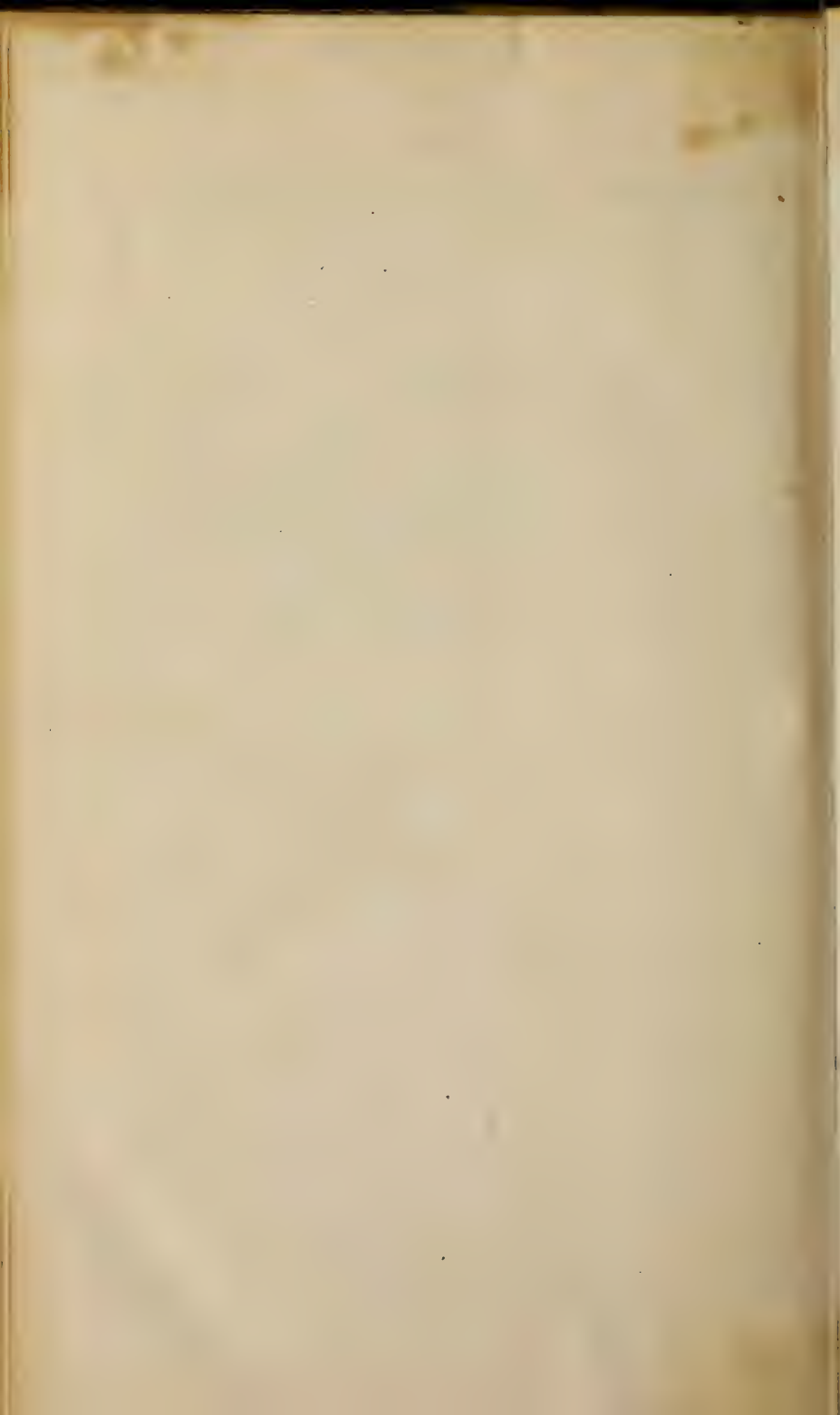
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30	Relative to Assistant Enrolling Clerks. Orr.....	203
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38	Relative to furnishing Trustees of Insane Asylum five hundred copies of their Annual Report. J. J. Owen.....	234
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52	Relative to gallant conduct of General Hooker. Owen.....	616
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59	Relative to printing Report of State Agricultural Society. Meyers.....	717
60	Censuring persons engaged in destroying California Republican Office. Willson...	717
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